AN

# APPENDIX

TO THE

# ABRIDGMENT

OF THE

# Statutes of IRELAND.

CONTAINING

An ABRIDGMENT of the ſeveral ACTS paſſed in this Kingdom, in the Seventh Year of the Reign of His preſent Majeſty, our moſt gracious Soverein Lord King GEORGE the Third, to the Eleventh and Twelfth Years inclusive.

WITH

A TABLE of the Titles of the STATUTES, ſhewing under what Heads they are Abridged.

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By FRANCIS VESEY, Esq.

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DUBLIN:

Printed by the Executors of DAVID HAY, Aſſignee of the late [illegible]
Printer to the King's Moſt Excellent Majeſty.

MDCCLXXIII.

MVSEVM
BRITANNICVM

A

# TABLE

OF THE

# Titles of the STATUTES

Paſſed in the Seventh year of the Reign of His preſent Majeſty King *George* the Third to the Eleventh and Twelfth Years inclusive.

## Shewing under what Heads they are Abridged.

*Anno ſeptimo* Georgii III. *Regis.*

CHAP. I.

AN act for granting unto his majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns (except of the manufacture of Great Britain.

*Expired.*

CHAP. II.

An act for granting to his majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed.

**Loan.**

CHAP. III.

An act for limiting the duration of parliaments.

**Parliament.**

CHAP. IV.

An act to enable grand juries, to [illegible] preſentment, money for diſcharging rents of court-houſes, gaols, and other keeping the records of the reſpective ties, and for other purpoſes.

CHAP. V.

An act to amend and explain an act paſſed the ſixth year of his preſent majeſty's reign *intituled*, An act for the relief of [illegible] debtors.

CHAP. VI.

An act to continue, amend, and make effectual, an act paſſed in the fourth year of the reign of his late majeſty king George the firſt, *intituled*, An act for veſting in his majeſty, his heirs, and ſucceſſors, the ſeveral lands, tenements, and hereditaments, whereon the barracks in this kingdom are built, or building, or contracted for, and whereon lighthouſes are or ſhall be built, and for making reaſonable ſatisfaction

...ners and pro-
... for the same; and also an act pas-
... the seventy first year of the reign of
... majesty king George the second,
... An act for amending and making
... effectual the said former act, and like-
... to enable the present commissioners of
... barrack board, and their successors, to
... the forfeited estates in the lands whereon
... barracks have been built, that are now
... to decay, or shall hereafter become
... useless, and also to sell the materials of such
... decayed barracks.

**Barracks.**

CHAP. VII.

An act for further amending an act passed in the thirty-first year of the reign of his late majesty king George the second, *intituled*, An act for making a wide and convenient way, street, and passage, from Essex-Bridge to the castle of Dublin, and for other purposes therein mentioned.

**Dublin.**

CHAP. VIII.

An act to amend an act, made the last session of parliament, *for erecting and establishing publick infirmaries or hospitals in this kingdom*.

**Hospitals.**

CHAP. IX.

An act, for explaining and amending an act, passed in the second year of his majesty king George the first, *intituled*, An act for the real union and division of parishes, and for other purposes therein mentioned.

**Glebes. Parishes. Destries.**

CHAP. X.

An act to explain and amend an act, *intituled*, An act for repairing the roads, leading from the city of Cork through Mill-street to to Shannah Mill, in the county of Kerry, and from Shannah Mill to Killarny, as also from Shannah Mill through Castle-Island to Listowell, in the said county; and for laying an additional toll at all turnpikes in this kingdom, on all carrs and carriages making use of an part of any sapling or trees, as, or for, a bow or backband, or making use of any saplings twisted into gads for backbands, hals, trteraces to draw by, or gads, commonly called long gads.

**Highways.**

CHAP. XI.

An act for making and repairing the road, from the town of Listowel, in the county of Kerry, through the lands of Listowel, Drumin, Skebanireen, Bunegamh, Kilmeany, Curag-pholig, Knockenure, Lissenisky, and Binanaspig, in the county of Kerry; Atea, Taumpleatlea, Glanagour, Knockfinisk, Carrigkeery, Glanduff, Glaunastere, Ballylyne, Ardagh commons, Ardagh town, Lishilleen, otherwise Lishireen, Skehana, Killscannell, and Reens, in the county of Limerick, ending at the forge on the said lands of Reens, at the turn of the road, leading to Newcastle, from Rathkeale in the said county of Limerick.

**Highways.**

CHAP. XII.

An act to explain and amend the laws, made for the better supplying the city of Dublin with corn and flour.

**Corn and Flour.**

CHAP. XIII.

An act for altering, amending, explaining, and rendering more effectual an act, made in the ninth year of the reign of his late majesty king George the second, *intituled*, An act for repairing the road leading from the Bridge, commonly called Ban-bridge, over the Ban-water, in the county of Down, to Randalstown, in the county of Antrim.

**Highways.**

CHAP. XIV.

An act for the futher explaining and amending an act, *intituled*, An act to prevent the disorders that may happen by the marching of soldiers, and for providing carriages for the baggage of soldiers on their march.

**Soldiers.**

CHAP. XV.

An act for directing the application of the sum of seven thousand pounds, granted to the Dublin Society, for the encouragement of such trades and manufactures, as should be directed by parliament.

**Trade and Manufactures.**

CHAP. XVI.

An act for allowing further time to persons in offices or employments, to qualify themselves

selves pursuant to an act, *intituled*, An act to prevent the further growth of popery.
**Qualifying.**

CHAP. XVII.

An act for erecting new chapels of ease, in the Parish of Armagh, and making such chapels, and those that are already erected in the said parish, perpetual cures; and for making a proper provision for the maintenance of perpetual curates, to officiate in the same. **Parishes.**

CHAP. XVIII.

An act for the relief of the creditors of Theophilus Desbrisay, of the city of Dublin, Esquire.

CHAP. XIX.

An act for licensing hawkers and pedlars; and for encouragement of English protestant schools.

CHAP. XX.

An act for continuing, reviving, and amending several temporary statutes, and other purposes therein mentioned.
**Coal. Corn. Fish. Game. Papists. Possession. Riots. Sheriffs. Soldiers. Trees. Treasurers.**

CHAP. XXI.

An act, to continue and amend an act, passed in the third of his majesty's reign, *intituled*, An act to amend and explain an act, made in the thirty-third year of the reign of Henry the eighth, *intituled*, An act for tythes, and for other purposes therein mentioned. **Parishes. Tythes.**

CHAP. XXII.

An act for promoting the trade of Ireland, by enabling the merchants thereof, to erect an exchange in the city of Dublin. **Dublin.**

CHAP. XXIII.

An act for the further preservation of Woods and timber-trees. **Trees.**

CHAP. XXIV.

An act for the encouragement of tillage and navigation, by granting a bounty on the carriage of corn coastways. **Corn.**

CHAP. XXV.

An act for the relief of Debtors, with respect to the imprisonment of their persons.
*Repealed.*

CHAP. XXVI.

An act for applying the sum of six thousand pounds, granted by parliament to the corporation for [illegible] Inland navigation [illegible] by them applied [illegible] on from the city of [illegible] navigable water above [illegible] and for encouraging [illegible] scribe for carrying on, [illegible] said work at their own [illegible]
**Inland [illegible]**

CHAP. XXV[illegible]

An act for the further improvement [illegible] majesty's revenue, and for [illegible] amending several acts therein [illegible] mentioned.
**Distillers. Revenue. Spirits. [illegible] Tobacco. Wine.**

CHAP. XXVIII.

An act, to amend an act, made for the better preservation of corn. **Corn.**

*Anno nono* Georgii III. *Regis.*

CHAP. I.

An act for granting unto his majesty an additional duty on beer, ale, strong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned; and for prohibiting the importation of all gold and silver lace, and of all cambricks and lawns (except of the manufacture of Great Britain.) *Expired.*

CHAP. II.

An act for granting unto his majesty the several duties, rates, impositions and taxes therein particularly expressed, to be applied to the payment of the interest of the sums therein provided for, and towards the discharge of the said principal sums, in such manner as therein is directed. **Loan.**

*Anno undecimo* Georgii III. *Regis.*

CHAP. I.

An act for reviving, continuing, and amending several temporary statutes.
**Game. Judgments. Papists. Riots. Tythes.**

CHAP. II.

An act for reviving, continuing, and amending several temporary statutes, and for other purposes.
**Burning. Corn. Drugs. Dublin. Workhouse. Sheriffs. Vermin.**

CHAP.

CHAP. III.

An act for allowing further time to perſons in offices or employments, to qualify themſelves purſuant to an act, *intituled*, An act to prevent the further growth of popery. **Qualifying.**

CHAP. IV.

An act for directing the application of the ſum of twenty eight thouſand eight hundred pounds, granted the laſt ſeſſion of parliament, to be applied to ſuch publick works, and other purpoſes, as ſhould be directed by parliament.

CHAP. V.

An act to prevent combinations to raiſe the price of coals in the city of Dublin. **Coals.**

CHAP. VI.

An act to prevent the pernicious practice of burning bricks within the city of Dublin, or the neighbourhood thereof. **Bricks.**

CHAP. VII.

An act for puniſhing ſuch perſons as ſhall do injuries and violences to the perſons or properties of his majeſty's ſubjects, with intent to hinder the exportation of corn. **Corn.**

CHAP. VIII.

An act to repeal an act, *intituled*, An act for the relief of debtors, with reſpect to the impriſonment of their perſons. **Debtors.**

CHAP. IX.

An act to explain and amend an act paſſed in the fifth year of his majeſty king George the third, *intituled*, An act for amending the publick roads. **Highways.**

CHAP. X.

An act to enable the ſpeaker of the houſe of commons, to iſſue his warrants to make out new writs for the choice of members to ſerve in parliament, in the room of ſuch members as ſhall die during the receſs of parliament. **Parliament.**

CHAP. XI.

An act to oblige ſhips more effectually to perform their quarantine, and for the better preventing the plague being brought from foreign parts into Ireland, and to hinder the ſpreading of infection. **Quarantine.**

CHAP. XII.

An act to regulate the trials of controverted elections, or returns of members to ſerve in parliament. **Parliament.**

CHAP. XIII.

An act for continuing certain laws, heretofore made, for the improvement of his majeſty's revenue, and the more effectual prevention of frauds therein.

*Anno undecimo & duodecimo* Georgii III. *Regis.*

CHAP. I.

An act for granting unto his majeſty an additional duty on the ſeveral commodities, goods, and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and all cambricks and lawns (except of the manufacture of Great Britain. **Additional Duties. Lace, &c.**

**Militia.**

CHAP. II.

An act for granting to his majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed. **Abſentees. Coaches. Cyder. Loan. Tea.**

CHAP. III.

An act for licenſing hawkers and pedlars, and for encouragement of Engliſh proteſtant ſchools. **Hawkers. Schools.**

CHAP. IV.

An act for granting and continuing to his majeſty, the ſeveral duties, rates and impoſitions therein mentioned, for the uſe of the corporation for promoting and carrying on an inland navigation in Ireland. **Inland Navigation.**

CHAP. V.

An act for the more effectual puniſhing wicked and diſorderly perſons, who have committed, or ſhall commit, violences, and do injuries to the perſons or properties of any of his majeſty's ſubjects in the counties of Antrim, Down, Armagh, city and county of Londondery, and county of Tyrone, or any of them; or who ſhall deliver or pub-

liſh

liſh threatening letters, or who reſiſt or oppoſe the levying the publick taxes in the ſaid counties or any of them; and for the more effectual bringing to juſtice certain offenders therein mentioned.

**Riots and unlawful Proceedings.**

CHAP. VI.

An act for amending and explaining a proviſo or clauſe contained in an act, paſſed in the fourteenth and fifteenth years of the reign of king Charles the ſecond, *intituled*, An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tunnage, and other ſums of money, unto his royal majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed. **Spirits.**

CHAP. VII.

An act for the further improvement of his majeſty's revenue, and the more effectual preventing of frauds therein; and for continuing and amending ſeveral laws heretofore made, and now in force, relative to his majeſty's ſaid revenue.

**Brewers. Cambrick and Lawn. Diſtillers. Revenue. Roſin. Spirits. Tobacco. Trees and Wood.**

CHAP. VIII.

An act to prevent frauds committed by bankrupts. **Bankrupts.**

CHAP. IX.

An act for the better preventing of frauds committed by perſons claiming the bounties for ſupplying the city of Dublin with corn and flour. **Corn.**

CHAP. X.

An act for rendering ſecurities by mortgage more effectual. **Mortgages.**

CHAP. XI.

An act for better regulating the foundling hoſpital and work-houſe in the city of Dublin, and increaſing the fund for the ſupport thereof; alſo for making a proviſion for appointing a *locum tenens* in caſe of the death or abſence of the lord mayor, or the preſident of the court of conſcience. **Dublin.**

CHAP. XII.

An act for the further preventing delays of juſtice, by reaſon of privilege of parliament. **Parliament.**

CHAP. XIII.

An act for the better paving, cleanſing, lighting, altering, and improving the new ſtreet, called Sackville-ſtreet and the Mall, in the city of Dublin, and the lanes and avenues leading into the ſame; as alſo the ſtreet called Marlborough-ſtreet, running parallel thereto on the eaſt ſide, with the lanes and avenues leading into the ſame. **Dublin.**

CHAP. XIV.

An act for preventing the ſpreading of fires, and for appointing of watches in cities and towns-corporate. **Fire Engines and Watch.**

CHAP. XV.

An act for the relief of poor infants, who are or ſhall be deſerted by their parents. **Infants deſerted.**

CHAP. XVI.

An act for erecting parochial chapels of eaſe in pariſhes of large extent, and making ſuch chapels, and thoſe that are already erected, perpetual cures; and for making a proper proviſion for the maintenance of perpetual curates to officiate in the ſame; and alſo in like manner for making appropriate pariſhes perpetual cures. **Pariſhes**

CHAP. XVII.

An act for rendering more effectual the ſeveral laws for the better enabling the clergy, having cure of ſouls, to reſide upon their benefices, and to build on their reſpective glebe lands, and to prevent dilapidations; and for the encouragement of proteſtant ſchools within this kingdom of Ireland. **Church Lands. Schools.**

CHAP. XVIII.

An act for the regulation of the city of Cork, and for other purpoſes therein mentioned, relative to the ſaid city. **Cork.**

CHAP. XIX.

An act for reviving and continuing ſeveral temporary ſtatutes that have lately expired, and for continuing others, that are near expiring.

**Coals. Corporations. Drugs. Dublin. Game. Judgments. Limerick. Papiſts. Quit-rent. Riots. Tithes. Vermin. Watch.**

CHAP. XX.

An act for the making of narrow roads through

through the mountainous unimproved parts of this kingdom. **Highways.**

CHAP. XXI.

An act to encourage the reclaiming of unprofitable bogs. **Bogs.**

CHAP. XXII.

An act to prevent burying dead bodies in churches. **Burial.**

CHAP. XXIII.

An act for eſtabliſhing an infirmary in the ſouth ſuburbs of the city of Cork, and to veſt an houſe, and front lot of ground in the ſouth ſuburbs of ſaid city (or any other houſe or grounds that may be taken) in certain truſtees for ever, and to give ſuch truſtees ſuch power as may be neceſſary to promote and execute the purpoſes of an infirmary in the ſouth ſuburbs of the city of Cork. **Cork.**

CHAP. XXIV.

An act to enable the corporation for promoting and carrying on an inland navigation in this kingdom, to erect and make a lock adjoining to the long dock of the old quay in the city of Limerick. **Inland Navigation.**

CHAP. XXV.

An act for amending an act for the better regulation of partnerſhips, to encourage the trade and manufacture of this kingdom. **Inland Navigation. Partnerſhips.**

CHAP. XXVI.

An act for continuing two ſeveral acts, one paſſed in the twenty-ſeventh year of his late majeſty king George the ſecond, and the other in the third year of his preſent majeſty's reign, for making the river Lagan avigable, and opening a communication by water between Loughneagh and the town of Belfaſt; and for enabling the commiſſioners therein named to raiſe money by aſſignment of ſaid duties, for the more effectual carrying on ſaid work. **Inland Navigation.**

CHAP. XXVII.

An act for explaining and amending an act made in the eighth year of the reign of her late majeſty queen Anne, *intituled*, An act for explaining and amending an act, *intituled*, An act to prevent the further growth of popery; ſo far only as the ſame makes a proviſion for the maintenance of popiſh prieſts converted to the proteſtant religion. **Papiſts.**

CHAP. XXVIII.

An act for preventing the erecting of lime kilns in the city of Dublin, or the ſuburbs thereof. **Lime.**

CHAP. XXIX.

An act for allowing further time to perſons in offices or employments to qualify themſelves purſuant to an act, *intituled*, An act to prevent the further growth of popery. **Qualifying.**

CHAP. XXX.

An act for badging ſuch poor as ſhall be found unable to ſupport themſelves by labour, and otherwiſe providing for them, and for reſtraining ſuch as ſhall be found able to ſupport themſelves, by labour or induſtry, from begging. **Poor.**

CHAP. XXXI.

An act for enabling certain perſons to carry on and compleat the grand canal. **Inland Navigation.**

CHAP. XXXII.

An act for the relief of ſeveral inſolvent debtors, named in the annexed ſchedules. **Debtors.**

CHAP. XXXIII.

An act for regulating the journeymen taylors and journeymen ſhipwrights of the city of Dublin and the liberties thereof, and of the county of Dublin. **Taylors and Shipwrights.**

CHAP. XXXIV.

An act for the remitting of priſoners, with their indictments, by the juſtices of his majeſty's court of king's bench, to the places where the crimes were committed. **Priſoners.**

CHAP. XXXV.

An act to empower Agmondiſham Veſey, eſquire, to encloſe that part of the old road which lies on the weſt ſide of the little river, called the Griffin, upon laying out ſuch other road, as in this act is mentioned. **Highways.**

AN

AN

# ABRIDGMENT

OF THE

## Several Acts paſſed in this Kingdom,

IN THE

## Seventh Year of the Reign of His preſent Majeſty King *George* the Third, to the Eleventh and Twelfth Years inclusive.

### Abſentees.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 2. *ſect.* 19. All perſons, who ſhall have on 25 December 1771 or at any time between that and 25 December 1773 inclusive any ſalary, profits of employments, fees, or penſions in this kingdom, ſhall pay to his majeſty the full ſum of four ſhillings ſterling out of every twenty ſhillings a year, which they receive or are intitled to by reaſon thereof, over and above the charges and expences of executing the ſaid employments, unleſs they ſhall live and actually reſide within this kingdom for and during the ſpace of ſix calendar months at leaſt in each of the ſaid years; which ſaid tax or duty ſhall be ſtopped and deducted yearly out of ſuch reſpective ſalaries and penſions during the time and term aforeſaid by vicetreaſurer, paymaſter, or receiver general, or ſuch perſons who are to pay the ſame, and ſhall be paid to vicetreaſurers or deputies to be accounted for to his majeſty; and ſaid tax to be ſtopped and deducted out of the profits and fees of any perſons ſo abſent ſhall be ſtopped by the reſpective deputies of ſuch perſons ſo abſent and paid by them to vicetreaſurers or deputies to be accounted for to his majeſty; and ſuch deputies ſhall within one calendar month after ſuch tax become due give in upon oath an account before lord chief baron or any of the barons of exchequer, or any two juſtices of peace, of the net profits of ſuch employment or employments, for which ſuch deputies accountable to their principals; which account ſuch perſons ſhall forthwith ſend to vicetreaſurer or deputy: ſuch deputies of perſons ſo abſent neglecting or omitting the ſame ſhall from ſuch time be incapable of exerciſing or holding ſuch deputation, and alſo forfeit one hundred pounds ſterling, to be recovered by bill, plaint, or information in any court of record at Dublin, one moiety to uſe of his majeſty, the other to ſuch perſon who ſhall ſue; in which ſuit no eſſoign, protection, wager of law, or more than one imparlance allowed.

For 2 years.

4 s. per £. out of ſalaries, employments, fees, or penſions,

unleſs reſident 6 months each year;

ſtopped, and accounted for to the king;

deputies in one month to account on oath;

on neglect diſabled, and 100 l. to king and proſecutor.

II. *ſect.* 20. Secretaries of commiſſioners of revenue, agents of the ſeveral regiments on the eſtabliſhment, and of the ſeveral perſons intitled to receive any ſalaries or penſions on the eſtabliſhment, ſhall reſpectively on or before the laſt of February yearly deliver

Liſts by ſecretaries and agents by 1ſt of February on oath,

deliver in upon oath (which lord chief baron or any of the barons of exchequer, or any two juſtices of peace, are required to adminiſter) to beſt of their knowledge a liſt or account of ſuch of the officers of the revenue, and the officers of the ſaid regiments of the degree of a colonel, not having a regiment, and of the perſons intitled to receive any ſuch ſalaries or penſions, who ſhall have been abſent and out of this kingdom for ſix calendar months in the year ending the 25th day of December next preceding.

or diſabled. If they refuſe or neglect to deliver in ſuch liſts, diſabled from holding or enjoying ſaid office of ſecretary, or from being agent.

Exempted. III. *ſect.* 21. This act ſhall not extend to charge ſaid tax or duty upon the ſalary, penſion, fees, or profits of employments, payable to any of the deſcendants of his majeſty's royal grandfather, or to the lord lieutenant or other chief governor or governors for time being, or to his or their principal ſecretary, or prince Ferdinand duke of Brunſwick, the duke and dutcheſs of Athol, ſir Edward Hawke knight of the Bath, or George Charles eſq; if his majeſty ſhall think fit by his ſign manual to exempt them or any of them from payment of the ſame: nor ſhall the ſame extend to the officers of ſuch regiments as now are or hereafter commanded abroad on his majeſty's ſervice, to colonels not having regiments, or to any officer under degree of a colonel, to half-pay officers on this eſtabliſhment, or widows of officers.

## Additional Duties.

To 25 Dec. 1773. I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 1. *ſect.* 1. From 25 December 1771 until 25 December 1773 incluſive, and no longer, for and upon every thirty two gallons of beer or ale above ſix ſhillings the barrel brewed within this kingdom by any common brewer or in his veſſels, or any other who ſells or taps out beer or ale publickly or privately (ſuch gallon to contain two hundred and ſeventy two cubical inches and one fourth part of a cubical inch) two ſhillings to be paid by the common brewer or ſuch others reſpectively, who ſhall brew, ſell, or tap out the ſame, and ſo proportionably for a greater or leſſer quantity; for every thirty two gallons of ſix ſhillings the barrel or under, ſo brewed, four pence, and ſo proportionably; every gallon of *aquavitæ*, ſtrong waters, or ſpirits, made or diſtilled in this kingdom for ſale, four pence to be paid by the firſt maker or diſtiller; every pound weight of tobacco imported three pence halfpenny; every yard of muſlin imported ſix pence; every yard of all ſorts of ſilks and ſtuffs made and manufactured in Perſia, China, or Eaſt-Indies, imported one ſhilling and ſixpence; every tun of wine imported four pounds, and ſo proportionably; every gallon of brandy, ſtrong waters, and ſpirits perfectly made and of ſpirits made and diſtilled of wine not above proof imported eight pence, and ſo proportionably; every gallon of foreign ſpirits above the quality of ſingle ſpirits imported, an additional duty ſhall be paid for ſuch ſpirits, and charged thereon in proportion to the duties payable for ſingle ſpirits of the ſame denomination according to the comparative degree of ſtrength, which ſuch ſpirits ſo to be imported ſhall bear to ſingle ſpirits of ſame denomination; every pound weight of coffee, chocolate, and cocoa nuts imported three pence; a tax of one ſhilling *per* barrel upon all herrings, that ſhall be imported, except Britiſh herrings; additional duty of twenty ſhillings ſterling on every hundred weight of molaſſes, and of treacle; ſix pence *per* yard on all foreign ſtuffs called Romalls, and all manufactures made of cotton, or of cotton and linen mixed, whether plain, painted, or ſtained, imported from any parts beyond ſeas, except the manufacture of Great Britain; ſix pence *per* hide every raw and untanned hide exported beyond ſeas, except to Great Britain; one ſhilling every rheam of writing or printing paper imported, except manufacture of Great Britain; ſix pence *per* yard over and above the preſent duties on all damaſk towelling, or napkins, made

Beer or ale 2s. 32 gallons, ſmall-beer, 4d. ſpirits 4d. a gallon; tobacco 3d. lb. muſlin 6d. per yard; Eaſtern ſilks and ſtuffs 1s. and 6d. wine 4l. per tun; brandy, &c. 8d. per gallon; ſpirits above ſingle in proportion; coffee, &c. 3d. per lb. herrings 1s. per barrel, except Britiſh; molaſſes, treacle, 20s. per 100. Romalls, cottons, except Britiſh, 6d. per yard; raw hides exported 6d. paper 1s. per rheam; damaſk towelling imported,

of

of flax or hemp, imported from foreign parts, or from any other place than Great Britain, at or under a yard wide, and one ſhilling *per* yard on all ſuch goods from ſix to eight quarters wide, and of two ſhillings *per* yard on all ſuch goods from eleven to twelve quarters wide.

II. *ſect.* 2. All and ſingular ſaid duties and impoſitions raiſed, levied, collected, and paid, over and above all other duties payable for the ſame, by virtue of the acts 14 & 15 C. 2. *for ſettling the exciſe or new impoſt, and for ſettling the ſubſidy of poundage and granting ſubſidy of tunnage.* Above all duties by 14 & 15 C. 2. c. 8 & 9.

III. *ſect.* 3. If ſaid wines, ſtrong waters, ſpirits perfectly made and ſpirits of wine and brandy, or above the quality of ſingle ſpirits, upon which ſaid additional duties are charged, ſhall after payment or ſecurity be again exported by any merchants ſubjects within twenty four calendar months, or merchant ſtrangers in twelve, after importation, and due proof firſt made by certificate from proper officer of due entry and of payment of ſaid additional duties or ſecurity given, and that all other requiſites have been performed, by law required, in caſes where duties of exciſe are to be repaid by ſaid act for ſettling the exciſe, then ſaid additional duty ſhall without any delay or reward, if paid, be repaid or allowed to ſuch merchants exporting within one month after demand thereof; or, if not paid, the ſecurity vacated or diſcharged as to ſo much as ſo exported; any thing herein to the contrary notwithſtanding. Drawback in a month after demand on export by ſubjects in 24, ſtrangers in 12, months, on certificate of entry, payment, or ſecurity and other requiſites by 14 & 15 C. 2. c. 8.

IV. *ſect.* 4. Said duties on coffee, chocolate, and cocoa nuts, and all monies ariſing thereby, paid to truſtees of hempen and flaxen manufacture to be applied to encourage and ſupport it and trade thereof in this kingdom, and ſaid duties on raw and untanned hides to ſaid truſtees to be applied towards encouraging the raiſing flax-ſeed. Duties on coffee, &c. to truſtees of linen manufacture, and untanned hides to raiſe flax ſeed.

V. *ſect.* 5. All ſaid additional duties and impoſitions raiſed, anſwered, collected, and paid at ſame time, in like manner, and by ſuch ways, means, and methods, rules and directions, penalties and forfeitures, and with ſuch powers, as appointed, directed, and expreſſed in ſaid act of exciſe 14 and 15 C. 2. or any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if particularly mentioned, and enacted again in the body of this act; with like remedy of appeal to party grieved as by ſaid act of exciſe or any other law or laws now in being relating to the duties of exciſe is provided. Collected and paid as by exciſe laws, with like appeal.

VI. *ſect.* 6. The ſix pence *per* pound and all other fees to vicetreaſurer, paymaſter or receiver general, upon iſſuing or payment of any ſums out of the aids granted this ſeſſion, or which ſhall or may be borrowed purſuant to any act or vote of credit this ſeſſion, ſhall be received by them for uſe of his majeſty, his heirs and ſucceſſors, during the term aforeſaid, and duly accounted for as a further and additional aid hereby given and granted. Fees accounted for as additional aid.

VII. *ſect.* 7. That ſeveral ſums be paid out of the aforeſaid additional duties and aids.

VIII. *ſect.* 8. The ſeveral ſums granted by this act or any other act now in force in this kingdom, and appropriated to encourage raiſing ſufficient quantities of flax and hemp, and the hempen and flaxen manufactures in Leinſter, Munſter, and Connaught, ſhall be applied to ſuch purpoſes only, and no other; and ſeparate and diſtinct accounts kept by the proper officer of the application, and laid before parliament. Money to flax and hemp manufacture; diſtinct accounts laid before parliament.

IX. *ſect.* 9. Said tax of one ſhilling *per* barrel on herrings imported paid to Dublin ſociety to be applied to encouragement of fiſheries in the northweſt parts. Tax on herrings applied.

X. *ſect.* 10. If re-exported within nine calendar months after importation the duties hereby impoſed paid on ſuch importation repaid to and drawn back by exporter. Drawn back if re-exported in 9 months.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 8. *ſect.* 1. After the 24th of June 1772, every perſon and perſons uſing the trade of merchandize in groſs or retail, or ſeeking living by buying and ſelling, dealing in exchange, or acting as ſcrivener, ſaleſmaſter, banker, broker or factor, as well natural-born ſubjects as denizens and aliens, who ſhall abſcond or depart from this realm, or begin to keep their houſes, or otherwiſe abſent him or herſelf ſo that their creditor or creditors cannot have acceſs to them; or take ſanctuary, or ſuffer him or herſelf willingly to be arreſted without any juſt or lawful cauſe, or good conſideration or purpoſe; or ſhall ſuffer themſelves to be outlawed, or yield themſelves to priſon; or willingly or fraudulently procure themſelves to be arreſted; or their goods, money, or chattles, to be attached, ſequeſtered, or taken in execution; or depart from their dwelling-houſe; or make or cauſe to be made any fraudulent grant or conveyance of their lands, tenements, goods or chattles, to the intent, or whereby their creditors ſhall or may be defeated or delayed from recovery of their juſt and true debts; or ſhall by themſelves, or by means of others by their procurement obtain any protections, other than ſuch perſon or perſons as ſhall be lawfully protected by the privilege of parliament; or ſhall preſer or exhibit unto his majeſty, his heirs or ſucceſſors, or any of the king's courts, any petition or bill againſt their creditors, or any of them, deſiring or endeavouring to compel or enforce them, or any of them, to accept leſs than their juſt and principal debts, or to procure time or longer days of payment than was given at the time of their original contracts; or being arreſted for debt, ſhall after arreſt lie in priſon two months or more, upon that or any other arreſt or detention in priſon for debt; or being arreſted for the ſum of one hundred pounds or more of juſt debt or debts, ſhall at any time after ſuch arreſt eſcape out of priſon; and every trader having privilege of parliament, who ſhall neglect to make ſatisfaction for any juſt debt to the amount of one hundred pounds or more, within two months after ſervice of legal proceſs for ſuch debt, ſhall be deemed and adjudged bankrupts; and in the caſes of arreſts, or lying in priſon for ſuch debt or debts, ſhall be deemed bankrupt from the time of his, her, or their ſaid firſt arreſt.

Traders, &c. abſconding;

ſanctuary;

fraudulent arreſt, or execution;

outlawry;

fraudulent conveyance to defeat creditors;

obtaining protections;

bill or petition to compel creditor to accept leſs or procure time;

after arreſt lying in priſon 2 months;

eſcaping out of priſon when arreſted for 100 l.

trader having privilege, not ſatisfying a debt of 100l. in 2 months after proceſs ſerved, deemed bankrupts;

and from firſt arreſt.

II. *ſect.* 2. No farmer, grazier, or drover of cattle, intitled, as ſuch, to any of the benefits by this act, or deemed a bankrupt within the ſame, unleſs ſuch perſon ſhall actually and *bona fide* act as a ſcrivener, ſaleſmaſter, banker, broker or factor, or dealer in exchange, or as a merchant, within the meaning of this act.

No farmer, grazier or drover, a bankrupt as ſuch.

III. *ſect.* 3. The lord chancellor, lord keeper or commiſſioners of the great ſeal, upon complaint in writing againſt ſuch perſon or perſons being bankrupt, as or are before defined, ſhall have full power and authority, by commiſſion under the great ſeal, to name, aſſign, and appoint, ſuch wiſe, honeſt and diſcreet perſons, as to him ſhall ſeem good, who, or the major part of them, by virtue of this act, and the ſaid commiſſion, ſhall have full power and authority to take by their diſcretion, ſuch order and direction with the body and bodies of ſuch perſon, whereſoever he or ſhe may be had, either in his or her houſe, privileged place, or elſewhere, as well by impriſonment of body; as alſo with all his or her lands, tenements, hereditaments, or freehold, and all covenants of renewal of ſuch freehold which he or ſhe ſhall have, or any way intitled to in his or her own right before he or ſhe became bankrupt; and alſo with all ſuch lands, &c. as ſuch perſon ſhall have purchaſed or obtained for money or other recompence, jointly with his wife, children or child, or any other perſon, to the uſe of ſuch bankrupt, or of or for ſuch uſe, intereſt, right or title, as ſuch bankrupt then ſhall have in the ſame, or in truſt to any ſecret uſe of ſuch bankrupt; and alſo with all lands, &c. whereof he or ſhe ſhall be any ways ſeized, of any eſtate in tail, in poſſeſſion, reverſion, or remainder, and whereof no reverſion or remainder is or ſhall be in the king, his heirs or ſucceſſors, of the gift or proviſion of his majeſty, his progenitors, his heirs or ſucceſſors; and alſo with his or her money, goods, chattles, wares, merchandizes,

Commiſſioners appointed under great ſeal,

who may impriſon;

order lands, goods, &c. of bankrupts;

chandizes, and debts, whereſoever they may be found or known, and cauſe the ſaid lands, tenements, hereditaments, fees, annuities, offices, goods, chattles, wares, merchandizes, and debts, to be ſearched, viewed, rated, and appraiſed, to the beſt value they may, and by deed indented and inrolled in one of the king's courts of record, to make ſale of the ſaid lands, tenements, and hereditaments, and of all deeds, writings, and evidences touching only the ſame, belonging to ſuch bankrupt; and alſo of all fees, annuities, offices, goods and chattles, or otherwiſe to order the ſame for the true ſatisfaction and payment of ſaid creditors; to every of ſaid creditors a portion, rate-like, according to the quantity of their debts, ſo that every creditor and creditors having ſecurity for his or their ſeveral debts, by judgment, ſtatute, recognizance, ſpecialty, with or without penalty or other ſecurity, or having no ſecurity, or having made attachments in Dublin or any other place, by virtue of any cuſtom there uſed, of the goods and chattles of any ſuch bankrupt, whereof there is no execution or extent ſerved and executed upon any the lands, tenements, hereditaments, goods, chattles, and other eſtate of ſuch bankrupt, before ſuch time as he or ſhe become bankrupt, ſhall not be relieved upon any ſuch judgment, ſtatute, recognizance, ſpecialty, attachments, or other ſecurities, for more than a rateable part of their juſt and due debts, with the other creditors of the ſaid bankrupt, without reſpect to any ſuch penalty, or greater ſum contained in ſuch judgment, *&c.* and every direction, order, grant, bargain, ſale, conveyance, and other thing by the ſaid perſons ſo authorized, ſhall be good and effectual in law againſt ſaid bankrupts, their wives, heirs, and children, and ſuch perſon and perſons as by ſuch joint-purchaſe with ſaid bankrupts ſhall have any eſtate or intereſt in the premiſſes; and againſt all the iſſues of the bodies of ſuch bankrupts, and all perſons claiming any eſtate, right, title, or intereſt, by, from, or under the ſaid bankrupts, after ſuch time as ſuch perſon ſhall become bankrupt, and againſt all other perſons whatſoever, whom the ſaid bankrupt by common recovery or other ways or means might cut off or debar from any remainder, reverſion, rent, profit, title, or poſſibility, in, to, or out of any of the ſaid lands, tenements or hereditaments: and if any perſon who ſhall become a bankrupt, and hath heretofore granted, conveyed, or aſſured, or ſhall at any time hereafter, any lands, tenements, hereditaments, goods, chattles, or other eſtate, unto any perſon, upon condition or power of redemption, by payment of money, or otherwiſe, ſaid commiſſioners, or major part of them, may aſſign and appoint, under hands and ſeals, ſuch perſon or perſons as they ſhall think fit, to make tender, or payment of money, or other performance, according to the nature of ſuch condition, as fully as the bankrupt might; and ſaid commiſſioners, or major part, ſhall, after ſuch tender, payment, or performance, have power to ſell and diſpoſe of ſuch lands, tenements, hereditaments, goods and chattles, and other eſtates ſo granted, upon condition to and for the benefit of the creditors, as fully as of any other eſtate of the bankrupt.

appraiſement,

ſale,

for creditors rateably;

acts of commiſſioners valid againſt bankrupt, wife, child, joint purchaſer, iſſue, and all claimants under, &c. remainder or reverſion:

commiſſioners may redeem by tender of payment or performance condition,

and afterwards ſell,

for creditors.

IV. *ſect.* 4. No creditors of any ſcrivener, ſaleſmaſter, banker, broker, factor, dealer in exchange or merchandize, within the deſcription of this act, though for valuable conſideration, who ſhall ſue execution upon judgment obtained by default, confeſſion, or *nil dicit*, ſhall avail themſelves of ſuch execution, to the prejudice of other fair creditors, but the perſon ſuing out the ſame ſhall be paid rateably only with other creditors.

Execution on judgment by default, &c.

paid rateably only.

V. *ſect.* 5. Nothing herein contained ſhall extend to ſecurities, by judgment obtained before the bankrupt ſhall become ſcrivener, ſaleſmaſter, banker, broker, factor, dealer in exchange or merchandize, but all debts ſo ſecured, ſhall have the ſame force and effect, priority and preference, as if this act not made.

Judgment before becoming dealer, &c. not affected.

VI. *ſect.*

No purchaſe, unleſs commiſſion ſued in 5 years.

VI. *ſect.* 6. No purchaſe for good and valuable conſideration, ſhall be impeached by this act, unleſs the commiſſion to prove him or her who ſhall become a bankrupt, be ſued forth within five years after he or ſhe ſhall become a bankrupt.

Conveyance to children, &c.

transfer of debts in others names, unleſs on marriage or valuable conſideration, commiſſioners may ſell or diſpoſe.

VII. *ſect.* 7. If any perſon who ſhall be a bankrupt by intent of this ſtatute, ſhall convey, or cauſe to be conveyed, to any of his or her children, or other perſon, any manors, lands, tenements, hereditaments, offices, fees, annuities, leaſes, goods, or chattles, or transfer his or her debts in other men's names, except the ſame ſhall be purchaſed, conveyed, or transferred for or upon marriage of any of his or her children (both parties married being of years of conſent) or ſome valuable conſideration, it ſhall be in the power of the commiſſioners, or major part, to bargain and ſell, grant, convey, demiſe, or otherwiſe diſpoſe thereof in as ample manner as if the ſaid debts were in the bankrupt's own name, or as if ſaid bankrupt had been actually ſeized or poſſeſſed of the like eſtate or intereſt to his or her own uſe, at ſuch time as he or ſhe became bankrupt; and every ſuch diſpoſition of ſaid commiſſioners, ſhall be good to all intents, conſtructions, and purpoſes in law againſt ſuch bankrupt, his heirs, executors, adminiſtrators and aſſigns, and ſuch children and perſons, as ſhall be ſubject to this ſtatute, and againſt all other perſons claiming by, from, or under ſuch bankrupt, or ſuch other perſon or perſons to whom ſuch conveyance made by ſaid bankrupt, or by his or her means and procurement.

Subſequent purchaſes or acquiſitions applied by commiſſioners as the reſt.

VIII. *ſect.* 8. If any perſon publiſhed and declared bankrupt by virtue of this act, ſhall at any time after purchaſe any lands, tenements, hereditaments, offices, fees, goods, or chattles, or any deſcend or revert, or by any means come to ſuch perſon being bankrupt before ſuch time as their debts due to their creditors fully ſatisfied and paid, or otherwiſe agreed for as herein after mentioned, the ſaid lands, &c. ſhall, by the ſaid commiſſioners or major part be bargained, ſold, extended, delivered, and uſed for and towards payment of ſaid creditors, in ſuch like manner and form as other the lands, &c. of the ſaid bankrupts, which they had when they were declared firſt bankrupt, ſhould or might by this act.

And goods in bankrupt's poſſeſſion or order by conſent of true owner, of which they reputed owners, except by conſignment or factorage.

IX. *ſect.* 9. If any perſons ſhall become bankrupt, and at ſuch time ſhall, by the conſent and permiſſion of the true owner and proprietor, have in their poſſeſſion, order, and diſpoſition, any goods or chattles whereof they ſhall be reputed owners, and take upon them the ſale, alteration, or diſpoſitions as owners, ſuch goods excepted as ſhall be in the cuſtody of ſuch bankrupt by conſignment or factorage, in every ſuch caſe the ſaid commiſſioners, ſhall have power to ſell and diſpoſe of the ſame, for benefit of the creditors who ſeek relief by ſaid commiſſion, as fully as any other part of the eſtate of the ſaid bankrupt.

A ſingle creditor 100l. two 150l. three or more 200l.

X. *ſect.* 10. No commiſſion of bankrupt under the great ſeal, ſhall be awarded and iſſued againſt any perſon whatſoever upon the petition of one or more creditors, unleſs the ſingle debt of the creditor, or of two or more perſons, being partners, petitioning for the ſame, amount to one hundred pounds or upwards, or unleſs the debt of two creditors ſo petitioning, amount to one hundred and fifty pounds, or upwards, or unleſs the debt of three or more creditors ſo petitioning, amount to two hundred pounds or upwards; and all the creditor or creditors petitioning, ſhall, before the ſame granted, make an affidavit or (being one of the people called quakers) a ſolemn affirmation in writing, before one of the maſters of chancery (which oath or affirmation they are hereby impowered to adminiſter, and which ſhall be filed with the proper officer) of the truth and reality of ſuch their reſpective debts, and likewiſe give bond to the lord chanellor, in the penalty of two hundred pounds, conditioned for proving his, her, or their debt, as well before the commiſſioners named in ſuch commiſſion, as upon a trial at law, in caſe the due iſſuing forth the ſame conteſted and tried, and alſo for proving the party a bankrupt at the time of taking out ſuch commiſſion, and

affidavit by petitioning creditors of reality of debts,

bond 200l. to prove,

further

further to proceed on such commission, as herein after mentioned: And if such debt or debts shall not be really due or owing, or if after such commission taken out, it cannot be proved, the party was a bankrupt at the time of issuing; but on the contrary it shall appear, such commission was taken out fraudulently or maliciously, then the lord chancellor, shall upon the petition of the party aggrieved, examine into the same, and order satisfaction for the damages sustained; and for the better recovery thereof, may, in case there be occasion, assign such bonds to the grieved parties so petitioning, who may sue for the same in their names.

if debt not really due,

or the commission fraudulent or malicious,

on petition satisfaction for damages,

and bond assigned.

XI. *sect.* 11. If any bankrupt shall, after issuing of any commission against him, pay the person or persons who sued out the same, or otherwise give or deliver to such persons, goods, or any other satisfaction or security for their debt, whereby such persons, shall privately have and receive more in the pound, in respect of their debt than the other creditors, such payment of money, delivery of goods, or giving great or other security or satisfaction, shall be deemed and taken to be such an act of bankruptcy, whereby on good proof thereof, such commission shall and may be superseded, and it shall and may be lawful for the lord chancellor, to award any creditor or creditors petitioning another commission; and such persons so taking or receiving such goods or other satisfaction, shall forfeit and lose as well their whole debt, as the whole they shall have taken or received, and shall pay back and deliver up the same, or the full value, to such persons as the said commissioners acting under such new commission shall appoint, in trust for and to be divided amongst the other of the bankrupt's creditors in proportion to their respective debts.

Creditors receiving more or other satisfaction, commission superseded,

another awarded,

the whole debt lost,

and repayment, for benefit of the other creditors.

XII. *sect.* 12. The creditors who shall petition for and obtain any commission shall be, and are hereby obliged at their own costs and expences to sue forth and prosecute the same, until assignees chosen of such bankrupt's estate and effects, as herein after prescribed; and the commissioners named in any such commission, shall, at the same meeting, appointed for choice of assignees, ascertain such costs, and by writing under their hands, shall direct and order the assignees, who are hereby required to pay and reimburse such petitioning creditors, such their costs and charges, out of the first monies or effects of said bankrupt, that shall be got in and received under the said commission; and every creditor of the said bankrupt shall be at liberty to prove their debts under the said commission, without paying any contribution whatsoever for or on account of such debts.

Petitioners to prosecute at their costs,

ascertained on choice of assignees,

assignees to reimburse out of the first money,

every creditor may prove debts under the commission without contribution.

XIII. *sect.* 13. All persons who have given credit, or at any time hereafter shall on bills, bonds, notes, or other securities, to any persons who shall become bankrupt upon a good and valuable consideration, *bona fide*, for any sum, or other matter or thing whatsoever, which shall not be due or payable at or before the time of such persons becoming bankrupt, shall be admitted to prove their respective securities, promise, or agreement for the same, in like manner as if made payable presently, and not at a future day, and shall be intitled unto, and receive a proportionable share, and dividend of such bankrupt's estate, in proportion to the other creditors, deducting only thereout rebate of interest, and discounting such securities payable at future times, after the rate of six pounds *per centum per annum*, for what he shall so receive, to be computed from the actual payment thereof, to the time such debt, duty, or sum of money, should or would have become due and payable by such securities. And it shall be lawful for such persons to petition for, or join in petitioning for any commission of bankruptcy.

Creditors on *bona fide*, securities at a future day to receive a proportion,

on discount at 6 *per Cent.*

XIV. *sect.* 14. There shall not be paid or allowed by the creditors, or out of the estate of the bankrupt, any monies whatsoever for expences in eating or drinking of the commissioners, or other persons, at the times of meetings, and no schedule shall be annexed to any deed of assignment of the personal estate of such bankrupt from the said commissioners

No allowance for expences,

no schedule to assignment,

commissioner eating or drinking at creditors charge, or taking above 20s. each meeting, disabled.

commissioners to the assignees of said estate: and if any commissioner shall order any such expence to be made, or eat or drink at any such meeting at the charge of the creditors, or out of the estate of such bankrupt, or receive or take above twenty shillings each, for each respective meeting, every such commissioner, so offending, shall be disabled for ever to act as a commissioner in such or any other commission founded on this act.

Commissioners oath.

XV. *sect.* 15. The said commissioners, shall not be capable of acting in execution of any of the powers and authorities, by this act (unless it be the power hereby given of administering oaths to commissioners) until such time as they respectively shall have taken an oath to the effect following.

*I A. B. Do swear, that I will faithfully, impartially, and honestly, according to the best of my skill and knowledge, execute the several powers and trusts reposed in me as a commissioner in a commission of bankrupt against and that without favour or affection, prejudice or malice.*

*So help me God.*

Administered to each other, entered,

Which oath any two or more of the said commissioners are hereby impowered and required to administer to each other in the same commission named and authorized; and they, the said commissioners, shall enter and keep memorials thereof, signed by them respectively, among the depositions and other proceedings on each respective commission, issued forth by virtue of this act.

No affidavit by the king's death,

XVI. *sect.* 16. No commission of bankrupt shall abate by reason of the death of his present majesty (whom God long preserve) his heirs or successors, but shall continue in full force: and if necessary to renew, by death of the commissioners named, so that a sufficient number not living who cannot act therein, or for any other cause; such commission shall be renewed, and but half of the fees, paid upon granting or obtaining commissions of bankrupt, shall be paid on any such renewed commissions; and all bills of fees and disbursements, claimed or demanded by any solicitor, clerk, or atorney, employed under any commission, shall be settled, adjusted, and certified by one of the masters of chancery; and so much as the master shall certify to be due to such clerk, solicitor, or attorney, and no more, shall be paid by the assignees under such commission; and the master, who shall settle and adjust such bill, shall have and receive for his care in settling and adjusting the same, as also for his certificate thereof, the sum of twenty shillings, and no more.

commissions renewed, half fees, attorney's fees settled by a master, and certified, no more paid by assignees, masters fee 20s.

Tho' bankrupt dies, commissioners proceed.

XVII. *sect.* 17. If any bankrupt shall die before the commissioners distribute the estate and effects, said commissioners shall notwithstanding, proceed in the execution of said commission, as they might have done if said bankrupt living.

Notice forthwith in Gazette, and time and place for meeting.

for Dublin at the Tholsel, or Royal Exchange, to choose assignees, creditors remote, proof of debt on oath, letter of attorney, before a master, or the commissioners,

XVIII. *sect.* 18. Where any commission of bankrupt shall issue, the commissioners therein named, or major part, shall forthwith, after they have declared the person against whom such commission shall issue, a bankrupt, cause notice thereof to be given in Dublin Gazette, and appoint a time and place for creditors to meet, which meeting for the city of Dublin, and all places within the limits of the county of said city, shall be at the Tholsel of said city, or Royal Exchange, in order to choose assignees of said bankrupt's estate and effects; at which meeting said commissioners shall admit the proof of any creditors debt, that shall live remote from the place of meeting, by affidavit (or being of the people called quakers, solemn affirmation) and also permit any person, duly authorized by letter of attorney from such creditors oath, or affirmation being made of the due execution thereof, either by an affidavit sworn, or affirmation made before a master in chancery, ordinary or extraordinary, or before the commissioners, *viva voce*, (which oath or affirmation they are hereby respectively authorized

thorized to adminiſter) and in caſe of creditors reſiding in foreign parts, ſuch affidavits or ſolemn affirmations being made before a magiſtrate where the party ſhall be reſiding and being, together with the letters of attorney of ſuch creditors, atteſted by a notary publick, the ſaid commiſſioners ſhall permit the perſons ſo duly authorized to vote in the choice of an aſſignee or aſſignees of ſuch bankrupt's eſtate and effects, in place and ſtead of ſuch creditors; and the commiſſioners, or major part, ſhall aſſign every ſuch bankrupt's eſtate and effects unto ſuch perſon or perſons, as the major part in value of ſuch creditors, according to the ſeveral debts then proved, ſhall chooſe as aforeſaid; and the aſſignee or aſſignees, ſhall keep one or more diſtinct books of account, wherein he or they ſhall duly enter all ſums of money, or other effects, which he or they ſhall have got in, or received out of ſaid bankrupt's eſtate; to which books of account every creditor, who ſhall have proved his or her debt, ſhall at all ſeaſonable times have free reſort, and inſpect the ſame as often as he or ſhe ſhall think fit.

In foreign parts creditors allowed to vote, atteſted by notary.

to vote in choice of aſſignees in place of the creditors.

aſſignment by major part in value.

account books kept.

reſorted to by creditors proving debts.

XIX. *ſect.* 19. No creditor, or any perſon on behalf of any creditor, permitted to vote in choice of aſſignees, whoſe debt, or the debt of perſons authorizing him to vote, ſhall not amount to ten pounds or upwards.

Debt of 10l. to intitle to vote.

XX. *ſect.* 20. Said commiſſioners may as often as they ſee cauſe, for the better preſerving and ſecuring the bankrupt's eſtate, immediately appoint one or more aſſignees of the debts, eſtate, and effects of ſuch bankrupt, or any part; which aſſignees, or any of them, ſhall and may be removed or diſplaced at the meeting of creditors appointed for the choice of aſſignees, if they or the major part in value, whoſe debts reſpectively amount to ten pounds or upwards as aforeſaid then preſent, of ſuch perſons duly authorized as aforeſaid, ſhall think fit; and ſuch aſſignees as ſo removed, ſhall deliver up and aſſign all the debts, eſtate, and effects of ſuch bankrupt, which ſhall have come to their hands, or poſſeſſion, or aſſigned by ſaid commiſſioners as aforeſaid, unto ſuch other aſſignees ſo choſen by the creditors, and all debts, eſtate, and effects of the bankrupt, delivered up or aſſigned, ſhall be to all intents and purpoſes as effectually and legally veſted in ſuch new aſſignees, as if the firſt aſſignment had been made to them by ſaid commiſſioners; and if ſuch firſt aſſignees ſhall refuſe or neglect ten days next after notice of the choice of ſuch new aſſignees, and of their conſent to accept ſuch aſſignment, ſignified to the firſt aſſignees by writing under their hands, to make ſuch delivery, every ſuch aſſignee or aſſignees ſhall reſpectively forfeit two hundred pounds, over and above the value of the effects of ſuch bankrupt ſo detained, to be divided and diſtributed amongſt the creditors, towards ſatisfaction of their debts, in ſuch manner as the eſtate of the bankrupt is or ought to be divided and diſtributed; and to be recovered by action of debt, bill, plaint, or information in any court of record at Dublin by ſuch perſons, as ſuch major part of commiſſioners ſhall appoint to ſue, with full coſts, wherein no privilege, protection, or wager of law, or more than one imparlance ſhall be allowed.

Aſſignees appointed as commiſſioners ſee cauſe,

removed at ſuch meeting of ſuch creditors,

deliver all effects to the new aſſignees,

not delivering in 10 days after notice forfeit 200l. diſtributed as bankrupt's eſtate.

XXI. *ſect.* 21. Every grant, aſſignment, or diſpoſition of the debts, eſtates, and effects of any bankrupt by ſaid commiſſioners, or the greater part, ſhall ſo veſt the property, right and intereſt, in the perſon or perſons to whom granted, aſſigned, or ordered, as fully to all intents as if originally and legally veſted in ſuch perſon or perſons, and as if the bills, bonds, ſtatutes, recognizances, judgments, deed or deeds, or contract, whereupon ſaid debts ſhall ariſe or grow due, had been made to, or with, or for ſaid perſons to whom ſo diſpoſed; and after ſuch diſpoſition of ſaid debts, neither the bankrupt or any other to whom any ſuch debt ſhall be due, ſhall have power to recover the ſame, or make any releaſe or diſcharge thereof; neither ſhall the ſame be attached as the debt of the bankrupt, or ſuch ſaid other

Property veſted by diſpoſition of commiſſioners as if originally.

not otherwiſe in power of the bankrupt or any other.

perſon or perſons, to whom the ſame ſhall be due by any other perſon or perſons, according to cuſtom or otherwiſe, but the party or parties to whom the ſame debt ſhall be aſſigned, ſhall have like remedy to recover the ſameas fully and lawfully in the name or name of the aſſignee or aſſignees to whom ſo granted, aſſigned, or ordered by ſaid commiſſioners in all reſpects, as the party himſelf might have had.

Payment by debtor to bankrupt *bona fide*,

XXII. *ſect.* 22. No debtor of the bankrupt hereby endangered for the payment of his, her, or their debt, truly and *bona fide* made to ſuch bankrupt, before ſuch debtor ſhall underſtand or know, that he is become a bankrupt.

Bankrupt's eſtate legally veſted in new aſſignees by order of lord chancellor on petition of any creditors,

XXIII. *ſect.* 23. And whereas it may be neceſſary, that aſſignments ſhould be vacated, and new aſſignments made, the lord chancellor may upon petition of any creditors, make ſuch order therein, as he ſhall think juſt and reaſonable: and in caſe a new aſſignment ordered, ſuch debts, effects, and eſtate of ſuch bankrupts ſhall be thereby effectually and legally veſted in ſuch new aſſignees, and it ſhall be lawful for them to ſue for the ſame in their names, and to diſcharge any action or ſuit, and to give acquittance for ſuch debts, as effectually, to all intents, as the aſſignees in the former aſſignment might, in caſe no new aſſignment made; and ſaid commiſſioners ſhall cauſe publick notice to be given in the two Dublin Gazettes, that ſhall immediately follow the removal, and the appointment of ſuch other aſſignees, that ſuch aſſignees are removed, and ſuch other aſſignees appointed in their ſtead; and that ſuch perſons, as are indebted to the ſaid bankrupt's eſtate, do not pay ſuch debt or debts to ſuch aſſignees, as removed as aforeſaid.

notice of removal and new aſſignment.

Bankrupts, who ſhall not in 42 days after notice ſurrender and ſubmit to be examined on oath or affirmation,

XXIV. *ſect.* 24. If any perſons, who ſhall at any time during the continuance of this act become bankrupt, within the intent and meaning of this act, and againſt whom a commiſſion of bankrupt under the great ſeal of Ireland, ſhall be awarded and iſſued, whereupon the ſaid perſons, ſhall be declared bankrupts, ſhall not within forty-two days after notice thereof in writing, left at the uſual place of abode of ſuch perſons, or perſonal notice, in caſe ſuch perſons be then in priſon, and notice in the Dublin Gazette, that ſuch commiſſion or commiſſions is, are, or have been iſſued, and of the time and place of meeting of the commiſſioners therein named, or the major part of them, ſurrender themſelves to the ſaid commiſſioners named, or the major part of them, and ſign or ſubſcribe ſuch ſurrender, and ſubmit to be examined from time to time upon oath, or being of the people called quakers, upon ſolemn affirmation by law appointed for ſuch people, by and before ſuch commiſſioners, and in all things comform to this ſtatute; and alſo upon their examination fully and truly diſcloſe and diſcover all their effects and eſtate real and perſonal, and how, and in what manner, to whom, and upon what conſideration, and at what time and times, they have diſpoſed of, aſſigned, or transferred any of their goods, wares, merchandizes, monies, or other eſtate and effects, and all books, papers and writings relating thereto, of which they were poſſeſſed, or in or to which they were any ways intereſted or intitled, or which any perſon or perſons had or hath, or have in truſt for them, or for their uſe at any time before or after the iſſuing of the ſaid commiſſion, or whereby ſuch perſon or perſons, or their families hath or have or may have, or expect any profit, poſſibility of profit, benefit, or advantage whatſoever, except only ſuch part of their eſtate or effects, or ſhall have been really and *bona fide* before ſold or diſpoſed of in the way of their trade and dealings, except ſuch ſums of money as ſhall have been laid out in the ordinary expence of their families; and alſo upon ſuch examination deliver up unto the ſaid commiſſioners, all ſuch part of their wares, goods, merchandizes, money, eſtate and effects, and all books, papers, and writings relating thereunto, as at the time of ſuch examination, ſhall be in their poſſeſſion, cuſtody, or power, (their neceſſary wearing apparel, and the neceſſary wearing apparel of the wife and children

and conform to all things,

and fully diſcloſe all real and perſonal eſtate,

how diſpoſed;

and when done;

and deliver up all in truſt,

any poſſibility of profit,

except really and *bona fide* before ſold or diſpoſed in the way of their trade and dealings,

except ordinary expences,

and deliver up all to commiſſioners.

neceſſary apparel excepted, and of wife and children,

children of such bankrupt only excepted) then he, she, or they, the said bankrupt or bankrupts, in case of any default and wilful omission in not surrendering and submitting to be examined as aforesaid, or in case they shall remove, conceal, or embezzle any part of such his, her, or their estate, real or personal, to the value of twenty pounds, or any books of account, papers, or writings relating thereto, with an intent to defraud his, her, or their creditors, and being thereof lawfully convicted by indictment, shall be deemed and adjudged guilty of felony, and suffer as felons without benefit of clergy, or the benefit of any statute made in relation to felons, and in such cases, such felons goods and estate shall go and be divided among the creditors seeking relief under such commission.

XXV. *sect.* 25. Said commissioners shall appoint within the said forty-two days, not less than three several meetings for the purposes aforesaid, the last of which shall be on the forty-second day, hereby limited for such bankrupt's appearance, and ten days notice, at least, shall be given in the Dublin Gazette, of the time and place of such meetings.

XXVI. *sect.* 26. The lord chancellor, may enlarge the time for such persons surrendering themselves, and disclosing and discovering their estate and effects as aforesaid, as the lord chancellor shall think fit, not exceeding fifty days, computed from the end of the said forty-two days; so as such order for enlarging the time be made six days at least, before the time on which such persons were to surrender, and make such discovery.

XXVII. *sect.* 27. Every such bankrupt or bankrupts, after any assignees of their estate and effects chosen and appointed, shall be, and are hereby required forthwith to deliver up on oath, or (being of the people called quakers) upon solemn affirmation before one of the masters of chancery, or before any justice of the peace within his respective jurisdiction (which oath or affirmation they are hereby impowered to administer) all their books of accounts, papers and writings not seized by the messenger of the said commission, or not before delivered up to the commissioners, or the major part, and then in their custody or power, and discover such as are in the custody or power of any person or persons, that any ways relate to or concern their estate or effects; and all and every such bankrupt or bankrupts not in prison or custody, shall at all times after such surrender be at liberty, and are hereby required to attend such assignees, upon every reasonable notice in writing, for that purpose by such assignees unto such bankrupts, or left them, at his, her, or their house or place of abode, in order to assist, and shall assist such assignees, in making out the accounts of said bankrupt's estate and effects.

XXVIII. *sect.* 28. All bankrupts, having surrendered as aforesaid, shall, at all seasonable times before the expiration of said forty two days, or such further time as allowed to finish their examination, be at liberty to inspect their books, papers, and writings, in the presence of such assignees, or some person appointed by such assignees for that purpose, and to take and bring with them, for their assistance, such persons as they shall think fit, not exceeding two persons at any one time, and to make such extracts and copies from thence, as they shall think fit, the better to enable them to make a full and true discovery and disclosure of their estate and effects; and in order thereto the said bankrupts shall be free from all arrests, restraint, or imprisonment of any of their creditors in coming to surrender, and from the actual surrender of such bankrupts to said commissioners, for and during the said forty two days, or such further time as allowed to such bankrupts for finishing their examinations, provided such bankrupt was not in custody at the time of such surrender and submission to be examined: and in case such bankrupt shall be arrested for debt, or on any escape-warrant, coming to surrender him or herself

diſcharged in producing the notice or ſummons, and a copy to the officer,

who detaining afterwards ſhall pay the bankrupt 5l. a day.

herſelf to ſaid commiſſioners, or after ſurrender ſhall be ſo arreſted within the time before mentioned, on producing ſuch ſummons or notices under the hands of the commiſſioners or aſſignees to the officer, who ſhall arreſt him, her, or them, and making it appear to ſuch officer, that ſuch notice or ſummons is ſigned by the ſaid commiſſioners, or the major part, or by ſuch aſſignees, and giving ſuch officer a copy thereof, he or ſhe ſhall be immediately diſcharged; and in caſe any officer ſhall detain ſuch bankrupt in his cuſtody, after he or ſhe ſhall have ſhewn ſuch notice or ſummons, and made it appear it was ſigned as aforeſaid, ſuch officer ſhall forfeit and pay to ſuch bankrupt for his own uſe five pounds for every day ſuch officer ſhall detain ſuch bankrupt, to be recovered by action of debt in any court of record in Dublin in the name of ſuch bankrupt, with full coſts of ſuit.

If bankrupt in cuſtody, and can be brought to be examined, the expences thereof

If the creditors refuſe to take his diſcovery;

aſſignees to appoint perſons to attend bankrupt in priſon, with his books, &c.

XXIX. *ſect.* 29. In caſe any bankrupt be in priſon, or cuſtody, at time of iſſuing ſaid commiſſion, and willing to ſurrender and ſubmit to be examined, and can be brought before ſaid commiſſioners and creditors for that purpoſe, the expences thereof ſhall be paid out of ſaid bankrupt's eſtate and effects: but in caſe ſuch bankrupt is in execution, or cannot be brought before the commiſſioners, the acting commiſſioners ſhall from time to time attend ſaid bankrupt in priſon or cuſtody, and take his diſcovery, as in other caſes; and aſſignees of ſaid eſtate ſhall and are required to appoint one or more perſon or perſons to attend ſuch bankrupt, being in priſon or cuſtody, from time to time, and to produce to him his books, papers, and writings, to prepare his laſt diſcovery and examination, according to the directions before mentioned, a copy whereof the aſſignees of ſaid eſtate ſhall apply for, and the ſaid bankrupt ſhall deliver to them, or their order, ten days at leaſt before ſuch laſt examination.

On certificate that he is proved bankrupt, warrant to apprehend and impriſon, till removed by order of commiſſioners;

XXX. *ſect.* 30. Upon certificate under hands and ſeals of the commiſſioners, that ſuch commiſſion is iſſued, and ſuch perſon proved before them to be bankrupt, it ſhall be lawful for all or any of the juſtices of king's bench, or common pleas, or barons of exchequer, and all juſtices of peace, and they are hereby impowered and required, upon application for that purpoſe, to grant warrants under hands and ſeals, for apprehending ſuch perſon, and him to commit to the common gaol of the county where ſo apprehended, there to remain until removed by order of ſaid commiſſioners, by warrant under their hands and ſeals; and the gaoler or keeper, to whoſe cuſtody ſuch perſon committed, is required to take ſuch perſon into his cuſtody, and forthwith give notice to one or more of ſaid commiſſioners, of ſuch perſons being in their cuſtody, to the intent the ſaid commiſſioners may ſend their warrant to ſuch gaoler or keeper (which they are impowered and required forthwith to ſend) for the delivering ſuch bankrupt to the perſons named in ſuch warrant, who ſhall be therein authorized to bring ſuch perſon to the ſaid commiſſioners in order to ſuch examination and diſcovery; and the ſaid commiſſioners are hereby likewiſe authorized and impowered by ſuch or any other warrant to take and ſeize any the goods, wares, merchandizes and effects of ſuch bankrupt (the neceſſary wearing apparel of ſuch bankrupt, and of his wife and children only excepted) and any of his books, papers, or writings, then in cuſtody or poſſeſſion of ſuch bankrupt, or of any other perſon or perſons in any priſon or priſons whatſoever.

commiſſioners warrant to ſeize goods, books, &c. wearing apparel excepted.

Submitting and conforming ſhall intitle to benefit of this act as if voluntary ſurrender.

XXXI. *ſect.* 31. If any ſuch perſon ſo apprehended, ſhall, within the time or times allowed by this act, ſubmit to be examined, and in all things conform, as if ſurrendered as required, then ſuch perſon ſhall have and receive the benefit of this act, to all intents and purpoſes, as if he had voluntarily come in and ſurrendered.

Perſons ſummoned to give information;

XXXII. *ſect.* 32. Said commiſſioners, or major part, may ſend for, and call before them, by ſuch warrant, ſummons, ways, or means, as they ſhall think fit, all ſuch perſons as they ſhall know, or ſhall be informed and believe can give any account

account or information of any act or acts of bankruptcy committed by such persons, against whom any commiſſion of bankruptcy awarded and iſſued out, or of the goods, chattles, wares, merchandizes, eſtate or effects of any ſuch perſons; and upon their appearance, examine them as herein after mentioned, touching or concerning ſuch bankrupt's eſtate and effects: and if any ſuch perſons on payment or tender of payment of ſuch reaſonable charges as the ſaid commiſſioners ſhall think ſufficient, ſhall neglect or refuſe to come and appear, not having a lawful excuſe to be made known to and allowed by ſaid commiſſioners, ſaid commiſſioners may by warrant under hands and ſeals, apprehend any ſuch perſons ſo offending, and him, her, or them commit to ſuch priſon as to the ſaid commiſſioners ſhall be thought meet, there to remain without bail or mainprize, until ſuch perſons ſubmit to the ſaid commiſſioners, to appear and be examined as herein after mentioned.

XXXIII. *ſect.* 33. Such witneſſes as ſo ſent for, ſhall have ſuch coſts and charges as ſaid commiſſioners in their diſcretion ſhall think fit to be paid out of the effects of ſuch bankrupts.

XXXIV. *ſect.* 34. Said commiſſioners may examine, as well by word of mouth, as on interrogatories in writing, all perſons, againſt whom any commiſſion of bankrupt is awarded, and the wife of every ſuch perſon, upon oath, or, being of the people called quakers, ſolemn affirmation (which oath or affirmation ſaid commiſſioners are hereby impowered to adminiſter) touching all matters relating to the trade, dealings, eſtate and effects of all ſuch bankrupts; and alſo examine in manner aforeſaid, all and every other perſon duly ſummoned before, or preſent at any meeting of ſaid commiſſioners, touching all matters relating to the perſon, trade, dealings, eſtate, and effects of all ſuch bankrupts, and any act or acts of bankruptcy committed by them; and alſo take down and reduce into writing the anſwers or verbal examinations of every ſuch bankrupt or other perſon had or taken before them, which examination ſo taken down or reduced into writing, the party examined ſhall ſign and is hereby required to ſign and ſubſcribe; and in caſe any ſuch bankrupt or other perſon refuſe to anſwer, or not fully anſwer to ſatisfaction of the commiſſioners, or the major part of them, all lawful queſtions put by ſaid commiſſioners as well by word of mouth, as by interrogatories in writing, or refuſe to ſign and ſubſcribe their examination ſo reduced into writing, not having a reaſonable objection either to the wording thereof or otherwiſe, to be allowed by the ſaid commiſſioners, it ſhall be lawful to and for ſaid commiſſioners, by warrant under hands and ſeals to commit them to ſuch priſon as the commiſſioners think fit, there to remain without bail or mainprize, until ſuch perſons ſhall ſubmit to ſaid commiſſioners, and full anſwer make, to ſatisfaction of the commiſſioners, to all ſuch queſtions as ſhall be put as aforeſaid, and ſign and ſubſcribe ſuch examination, according to the true intent and meaning of this act.

XXXV. *ſect.* 35. In caſe any perſon be committed by ſaid commiſſioners for refuſing to anſwer, or not fully anſwering any queſtion put by ſaid commiſſioners by word of mouth, or on interrogatories, ſaid commiſſioners ſhall in their warrant of commitment ſpecify ſuch queſtion or queſtions.

XXXVI. *ſect.* 36. In caſe any perſon committed by the commiſſioners warrant by virtue of this act, ſhall make application to any court or judge, having proper juriſdiction, to be diſcharged, and on ſuch application there ſhall appear any ſuch inſufficiency whatſoever in the form of the warrant, whereby ſuch perſon was committed, by reaſon whereof the party might be diſcharged, the court or judge before whom ſuch party ſhall apply, ſhall, and is hereby required, by rule, order, or warrant, to commit ſuch perſons to the ſame priſon, there to remain as aforeſaid, until they ſhall conform as aforeſaid, unleſs it be made appear to ſuch court or

Judge

judge by the party committed, that he, ſhe, or they have fully anſwered all lawful queſtions put by ſaid commiſſioners, or in caſe ſuch perſon was committed for not ſigning examination, unleſs it ſhall appear that the party ſo committed had a good and ſufficient reaſon for refuſing to ſign the ſame. And in caſe any gaoler or keeper of any priſon, to whom any ſuch bankrupt ſo committed, ſhall wilfully ſuffer any ſuch bankrupt to eſcape from ſuch priſon, or go without the walls or doors, until duly diſcharged as aforeſaid, ſuch gaoler or keeper ſhall, being duly convicted thereof, forfeit three hundred pounds, for uſe of the creditors of ſuch bankrupt.

On eſcape, 300l. by gaoler to creditors.

XXXVII. *ſect.* 37. The gaoler or keeper of ſuch priſon, ſhall upon requeſt made in the day time of any perſon a creditor of ſuch bankrupt, and having proved his debt under ſaid commiſſion, and producing a certificate thereof, under the hands of ſaid commiſſioners (which ſaid commiſſioners are required to give *gratis*) forthwith produce or ſhew ſuch perſon ſo committed to any ſuch creditor requeſting the ſame; and in caſe ſuch gaoler or keeper ſhall refuſe to ſhew, or not forthwith produce ſuch perſon ſo committed, and being in his actual cuſtody at the time of ſuch requeſt to ſuch creditor, ſuch gaoler and keeper ſhall forfeit for ſuch wilful refuſal or neglect one hundred pounds for the uſe of the creditors of ſuch bankrupt, to be recovered by action of debt in any court of record in Dublin, in the name or names of the creditor or creditors requeſting ſuch ſight of ſuch priſoner.

Gaoler to produce priſoner on requeſt of creditor proving his debt, and on certificate;

refuſing forfeits 100l. for the creditors.

XXXVIII. *ſect.* 38. Every perſon who ſhall at any time after the time allowed to ſuch bankrupt to ſurrender and conform, voluntarily make diſcovery of any part of ſuch bankrupt's eſtate, not before come to the knowledge of the aſſignees, either to the ſaid aſſignees, or commiſſioners, ſhall be allowed five pounds *per cent.* and ſuch further and other reward, as the aſſignees, and the major part of the creditors in value preſent at any meeting of the creditors, ſhall think fit, to be paid out of the neat proceed of ſuch bankrupt's eſtate, which ſhall be recovered on ſuch diſcovery, to the perſon or perſons ſo diſcovering, by the aſſignees of ſuch bankrupt's eſtate, and the aſſignees ſhall be allowed the ſame in their accounts.

5 per cent. allowed on voluntary diſcovery of bankrupt's eſtate;

and further reward as by aſſignees and majority in value of creditors.

XXXIX. *ſect.* 39. All perſons, who ſhall have accepted of any truſt or truſts, and wilfully conceal or protect any eſtate real or perſonal of any perſons becoming bankrupts as aforeſaid, from their creditors, and ſhall not within forty-two days next after ſuch commiſſion ſhall iſſue forth, and notice thereof given in the Dublin Gazette, diſcover and diſcloſe ſuch truſt and eſtate in writing to one or more of the commiſſioners or aſſignees, and likewiſe ſubmit to be examined by the commiſſioners, if thereunto required, and truly diſcover the ſame, ſhall forfeit one hundred pounds, and double the value of the eſtate either real or perſonal ſo concealed, to and for the uſe and benefit of ſaid creditors, to be recovered by action of debt in any court of record at Dublin, in name of the aſſignees of the ſaid commiſſioners, in which caſe full coſts ſhall be allowed to either party.

Concealed truſts not diſcloſed in 42 days after commiſſion and notice in Gazette,

penalty 100l. and double value,

full coſts.

XL. *ſect.* 40. Where it ſhall appear to ſaid commiſſioners, that there hath been mutual credit given by the bankrupt and any other perſon, or mutual debts between the bankrupt and any other, at any time before ſuch perſon became bankrupt, ſaid commiſſioners, or aſſignees, ſhall ſtate the account between them, and one debt may be ſet againſt another; and what ſhall appear to be due on either ſide on the balance of ſuch account, and on ſettling ſuch debts one againſt another, and no more, ſhall be claimed or paid on either ſide reſpectively.

Where mutual debts,

ſet off,

balance only paid.

XLI. *ſect.* 41. If any perſon, at any time ſhall before the acting commiſſioners, or by affidavit or affirmation exhibited to them, ſwear or depoſe, or being of the people called quakers, affirm, that any ſum of money is due to him or her from any bankrupt, which is not really due or owing, or ſhall ſwear or affirm that more is due than is really due or owing, knowing the ſame to be not due or owing, and

Perſons making falſe oaths, &c. forfeit

that

ſhat ſuch oath or affirmation is falſe and untrue, and ſhall be thereof convicted by ndictment or information, ſuch perſon ſhall ſuffer the pains and penalties inflicted by the ſeveral ſtatutes made and now in force againſt wilful perjury; and moreover be liable to pay double the ſum ſo ſworn or affirmed to be due and owing, to be recovered and levied as other penalties and forfeitures are upon penal ſtatutes after conviction to be levied and recovered; and ſuch double ſum ſhall be rateably divided among all the creditors ſeeking relief under the ſaid commiſſion.

and double the ſum

to the creditors

XLII. *ſect.* 42. In execution of the ſaid commiſſion it ſhall be lawful to and for ſaid commiſſioners, or any other perſons or officers by them, or the greater part of them to be deputed, and appointed by their warrants under hands and ſeals, to break open the houſes, chambers, ſhops, warehouſes, doors, trunks or cheſts of ſaid bankrupt, where ſaid bankrupt or any of his or her goods or eſtate ſhall be, or reputed to be, and to ſeize upon, and make ſuch order concerning the body, goods, chattles, ready money, and other eſtate of ſuch bankrupt, whether it be by impriſonment of body, or otherwiſe, as to the ſaid commiſſioners ſhall be thought meet.

Warrants to break open, ſeize, and imprison.

XLIII. *ſect.* 43. All perſons becoming bankrupt as aforeſaid, who ſhall within the time limited by this act ſurrender to the acting commiſſioners authorized, and in all things conform as in and by this act directed, ſhall be allowed five pounds *per cent.* out of the neat produce of all the eſtate, that ſhall be recovered in and received, which ſhall be paid by aſſignees, in caſe the neat produce of the ſaid eſtate for ſuch allowance made ſhall be ſufficient to pay the creditors of ſaid bankrupt, who proved their debts under ſaid commiſſion, ten ſhillings in the pound, and ſo as the ſaid five pounds *per cent.* ſhall not amount in the whole to above two hundred pounds; and in caſe the neat produce ſhall over and above the allowance hereafter mentioned be ſufficient to pay ſaid creditors twelve ſhillings and ſix pence in the pound, then all perſons ſo conforming ſhall be allowed ſeven pounds ten ſhillings *per cent.* ſo as ſuch ſeven pounds ten ſhillings *per cent.* ſhall not amount in the whole to above two hundred and fifty pounds; and in caſe the neat produce ſhall over and above the allowance hereafter, be ſufficient to pay ſaid creditors fifteen ſhillings in the pound, then all perſons ſo conforming ſhall be allowed ten *per cent.* ſo as ſuch ten pounds *per cent.* ſhall not amount in the whole to above three hundred pounds; and every ſuch bankrupt ſhall be diſcharged from all debts due or owing at the time they became bankrupt; and if afterwards arreſted, proſecuted, or impleaded for any debt due before ſuch time as they became bankrupt, ſhall be diſcharged upon common bail, and ſhall and may plead in general, that the cauſe of ſuch action or ſuit did accrue before ſuch time as they became bankrupt, and give this act and the ſpecial matter in evidence; and the certificate of ſuch bankrupt's conforming, and the allowance thereof, according the directions of this act, ſhall be, and allowed ſufficient evidence of the trading, bankruptcy, commiſſion, and other proceedings precedent to the obtaining ſuch certificate, and a verdict ſhall thereupon paſs for defendant, unleſs the plaintiff in ſuch action ſhall prove the ſaid certificate was obtained unfairly and by fraud, or can make appear any concealment by ſuch bankrupt to the value of ten pounds; and if a verdict paſs for defendant, or plaintiff nonſuited, or judgment againſt plaintiff, defendant ſhall recover full coſts.

5 *per cent.* allowed bankrupts conforming;

paid by aſſignees if the neat produce ſufficient for 10 *l. per* L. ſo as not above 200 *l.*

if 12 *l.* and 6 *d.* *per* L. ſhall be allowed, ſo as not above 250 *l.*

10 *l. per cent.* allowed, ſo as not above 300 *l.*

diſcharged all debts at the time they became bankrupt;

if arreſted, common bail, and plead in general, and ſpecial matter in evidence;

certificate evidence of proceedings;

verdict for defendant, unleſs fraud in obtaining certificate, or concealment 10 *l.*

full coſts on a nonſuit, &c.

XLIV. *ſect.* 44. If the neat produce of ſuch bankrupt's eſtate, ſo to be diſcovered, recovered, and received, together with what ſhall be otherwiſe recovered and received, ſhall not amount to ſo much as will pay all the creditors who proved their debts under ſaid commiſſion, ten ſhillings in the pound after all charges firſt had and deducted, then ſuch bankrupt ſhall not be allowed five pounds *per cent.* out of ſuch eſtate, but allowed and paid by the aſſignees ſo much as the aſſignees and commiſſioners,

If not 10 *s. per* L. allowance not exceeding 3 *l.* per cent.

commissioners, authorized as aforesaid, shall think fit to allow, not exceeding three pounds *per cent.*

If commission against those before discharged, compounded, &c. bodies only free from arrest.

XLV. *sect.* 45. If any commission of bankruptcy shall issue against any, who shall have been before discharged by this act, or shall have compounded with their creditors, or delivered to them their estate or effects, and been released by them, or discharged by any act for relief of insolvent debtors, then bodies only of such persons conforming as aforesaid shall be free from arrest and imprisonment by this act; but the future estate and effects of such persons shall remain liable to creditors, as before the making this act (the tools of trade, the necessary household goods and furniture, and necessary wearing apparel of such bankrupt and his wife and children, only excepted) unless the estate of such persons, against whom such commission awarded, shall produce clear after all charges sufficient to pay every creditor under said commission fifteen shillings in the pound.

future effects liable before, unless 15s. per pound, except tools, furniture, and apparel.

No benefit allowed on bankrupt's discovery, unless commissioners certify,

XLVI. *sect.* 46. No discovery upon oath or solemn affirmation by any bankrupt, of estate and effects, pursuant to [illegible] act, shall intitle such bankrupt to the benefit allowed by this act, unless the commissioners, in writing under hands and seals, certify to lord chancellor, that such bankrupt hath made a full discovery of estate and effects, and in all things conformed, according to directions of this act, and that there doth not appear any reason to doubt the truth of such discovery, or that the same is not a full discovery; and unless four parts in five in number and value of the creditors, for not less than twenty pounds respectively, and who have duly proved their debts under such commission, or some other person by them respectively duly authorized thereto, shall sign such certificate, and testify their consent to such allowance and certificate, and to the said bankrupt's discharge in pursuance of this act, to be also certified by such commissioners; but the said commissioners shall not certify the same, 'till they have proof by affidavit or affirmation in writing, of such creditors, or of the person by them respectively authorized, signing the said certificate, and of the power and authority by which any person shall be authorized by any creditor to sign; which affidavit or affirmation, together with such warrant or authority to sign, shall be laid before the lord chancellor, with the said certificate, in order for the allowing and confirming the same; and unless such bankrupt make oath, or, being of the people called quakers, solemnly affirm in writing, that such certificate, and consent of the creditors thereunto, were obtained fairly, and without fraud; and unless such certificate shall, after such oath or affirmation of the bankrupt, be allowed and confirmed by the lord chancellor, or by such two of the justices of king's bench or common pleas, or barons of exchequer, to whom the consideration of such certificate shall be referred by the lord chancellor; and any of the creditors of such bankrupt shall be allowed to be heard, if they think fit, before the respective persons aforesaid, against the making such certificate, and confirmation thereof; nor shall any commissioner sign such certificate, 'till after four parts in five in number and value of said creditors have signed the same as aforesaid.

¾ and 4 parts in 5 in number and value of creditors for 20l. or upwards, sign and consent;

affidavit of such creditors' consent, and proof of the power, laid before lord chancellor with the certificate,

bankrupt's oath;

certificate allowed and confirmed by lord chancellor or 2 judges, to whom referred; creditors heard against it.

XLVII. *sect.* 47. Where creditors of any bankrupt reside in foreign parts, letters of attorney, attested by a notary public in the usual form, sufficient evidence of the power and authority, by which any person thereby authorized, shall sign any bankrupt's certificate.

Letter of attorney of creditor, abroad, attested by notary, evidence of the power.

XLVIII. *sect.* 48. Every bond, bill, note, contract, agreement, or other security whatsoever, made or given by any bankrupt or any other person, unto, or to the use of, or in trust for any creditor, or for security of payment of any debt or sum of money due at the time of his becoming bankrupt, or any part thereof, between the time of his becoming bankrupt and such bankrupt's discharge, as a consideration, or to the intent to persuade him, her, or them, to consent to or sign any such

Securities by bankrupt to creditors to induce them to sign, void.

ſuch allowance or certificate, ſhall be wholly void and of no effect; and the monies ſhall not be recovered or recoverable; and the party ſued ſhall and may plead the general iſſue, and give this act and ſpecial matter in evidence.

XLIX. *ſect.* 49. If any bankrupt, who ſhall have obtained a certificate from the acting commiſſioners, and ſuch certificate allowed and confirmed, ſhall be taken in execution, or detained in priſon on account of any debt due or owing before he or ſhe became bankrupt, by reaſon that judgment was obtained, before ſuch certificate was allowed and confirmed, it ſhall be lawful for any one of the judges of the court, wherein judgment ſo obtained, on ſuch bankrupt's producing certificate, to order any ſheriff, bailiff, or officer, gaoler, or keeper of any priſon, who ſhall have ſuch bankrupt in cuſtody by ſuch execution, to diſcharge, without any fee or reward; and ſuch ſheriff, *&c.* are required to diſcharge accordingly, and are hereby indemnified from any action for any eſcape for ſo doing.

When certificate confirmed, if taken or detained on judgment before, diſcharged by order of a judge of the court, without fee; no eſcape.

L. *ſect.* 50. Where any perſons fraudulently ſwear, or depoſe, or, being of the people called quakers, affirm, before the commiſſioners, or by affidavit or affirmation exhibited to them, that money is due to them from any bankrupt, which ſhall in fact not be really ſo due and owing, and ſhall in reſpect of ſuch fictitious and pretended debt ſign conſent to the certificate for ſuch bankrupt's diſcharge, unleſs the bankrupt ſhall, before the major part of ſaid commiſſioners have ſigned ſuch certificate, by writing, by him to be ſigned and delivered to one or more of the commiſſioners, or to one or more of ſaid aſſignees, of his eſtate and effects under ſuch commiſſion, diſcloſe the ſaid frauds, and object to the reality of ſuch debt, ſuch certificate ſhall be null and void to all intents, and ſuch bankrupt ſhall not be intitled to be diſcharged, or have and receive any of the benefits or allowances to bankrupts by this act.

Conſent to certificate on a fictitious debt, if not diſcloſed by bankrupt, certificate void.

LI. *ſect.* 51. Nothing in this act ſhall be conſtrued to extend, or give, or grant any privilege, benefit, or advantage to any bankrupt whatſoever, againſt whom a commiſſion ſhall iſſue, who upon the marriage of any of his children, ſhall have given, advanced, or paid above the value of one hundred pounds, unleſs he ſhall prove by books fairly kept, or otherwiſe upon oath, or, being of the people called quakers, upon ſolemn affirmation, before the commiſſioners, that he had at the time thereof over and above the value ſo given, advanced, or paid, remaining in goods, wares, debts, ready money, or other eſtate real or perſonal, ſufficient to pay and ſatisfy unto every perſon, to whom he was any wiſe indebted, their full and entire debts, or who ſhall loſe in any one day the value of five pounds, or in the whole the value of three hundred pounds, within twelve months next preceding becoming bankrupt, in playing at cards, dice, tables, tennis, bowls, billiards, ſhovel-board, or by cock-fighting, horſe-races, dog-matches, or foot-races, or other paſtimes, or games whatſoever; or bearing a ſhare or part in ſtakes, wagers, or adventures, or betting on the ſides or hands of ſuch as play, act, ride, or run as aforeſaid.

No benefit to bankrupt giving above 100l. on child's marriage, unleſs proof of ſufficient at the time to pay entire debts, or loſing 5l. in a day at cards, &c. or 300l. in year preceding.

LII. *ſect.* 52. And that aſſignees may make ſpeedy dividends, before the creditors ſhall proceed to choice of aſſignees, the major part in value of creditors, then preſent, ſhall direct in what manner, how, and with whom, and where the monies, ariſing by and to be received from time to time out of the bankrupt's eſtate, ſhall be paid in and remain, until divided amongſt all the creditors; to which rule and direction ſuch aſſignees afterwards to be choſen ſhall conform, as often as one hundred pounds ſhall be got in and received, and ſhall be indemnified, for what they ſhall do in purſuance of ſuch direction.

Directions by creditors before aſſignees choſen, conformed to by aſſignees as often as 100l. received.

LIII. *ſect.* 53. Aſſignees ſhall after four, and within twelve months from the time of iſſuing ſuch commiſſion, cauſe at leaſt twenty one days notice to be given in Dublin Gazette, of time and place the commiſſioners and aſſignees intend to meet to

Notice by aſſignees in Gazette in 12 months, of time and place, debts then proved,

to make a dividend or diſtribution; at which time the creditors, who have not before proved their debts, ſhall be at liberty to prove the ſame; which meeting for the city of Dublin, and all places within the county of ſaid city, and liberties thereof, ſhall be at the Tholſel or Royal Exchange; and upon every ſuch meeting the aſſignees ſhall produce to ſaid commiſſioners and creditors preſent, fair and juſt accounts of all receipts and payments touching the bankrupt's eſtate and effects, and of what ſhall remain outſtanding, and the particulars; and ſhall, if the creditors preſent or the major part require, be examined upon oath, or, being of the people called quakers, upon ſolemn affirmation, before ſaid commiſſioners, touching the truth of ſuch accounts; and in ſuch accounts the aſſignees allowed to retain all ſuch ſums, as they ſhall have paid and expended in ſuing out and proſecuting ſuch commiſſion, and all other juſt allowances on account of and by reaſon or means of their being aſſignees; and ſaid commiſſioners ſhall order ſuch part of the neat produce, as by ſuch accounts or otherwiſe ſhall appear to be in the hands of ſaid aſſignees, as they ſhall think fit, to be forthwith divided amongſt ſuch of the bankrupt's creditors, who have duly proved their debts under ſuch commiſſion, in proportion to their ſeveral and reſpective debts; and the commiſſioners ſhall make ſuch order for a dividend in writing under their hands; and cauſe one part of ſuch order to be filed amongſt the proceedings under ſaid commiſſion, and deliver unto each aſſignee a duplicate of ſuch order likewiſe under the hands of ſaid commiſſioners; which order of diſtribution ſhall contain an account of the time and place of making ſuch order, and the ſum total or quantum of all the debts proved; and the ſum total of the money remaining in hands of aſſignees to be divided, and how much in particular in the pound is then ordered to be paid to every creditor; and ſaid aſſignees in purſuance of ſuch order, and without any deed or deeds of diſtribution to be made for that purpoſe, ſhall forthwith make ſuch dividend and diſtribution accordingly, and alſo take receipts, in a book to be kept for that purpoſe, from each creditor for the part or ſhare of ſuch dividend or diſtribution, which they ſhall make and pay to each creditor reſpectively; and ſuch order and receipt ſhall be a full and effectual diſcharge to ſuch aſſignee for ſo much as he ſhall fairly pay purſuant to ſuch order.

at the Tholſel or Exchange;

aſſignees at meeting to produce accounts; examined on oath if required by creditors; juſt allowances to aſſignees;

dividend in proportion among creditors proving their debts;

order in writing,

one part filed, duplicate to each aſſignee, contents of the order;

diſtribution made forthwith,

receipts from each creditor entered.

LIV. *ſect.* 54. It ſhall be lawful for the aſſignees of any bankrupt's eſtate, with conſent of the major part in value of the creditors, who have duly proved their debts, and who ſhall be preſent at any meeting of ſaid creditors, purſuant to ſuch notice in the Gazette, to ſubmit any difference or diſpute between ſuch aſſignees, and any perſons whatſoever for or on account, or by reaſon or means of any matter, cauſe, or thing relating to ſuch bankrupts, or their eſtate or effects, to the final end and determination of arbitrators, choſen by ſaid aſſignees, and the major part in value of ſuch creditors preſent, and the party or parties with whom they ſhall have ſuch difference, and to perform the award of ſuch arbitrators, or otherwiſe to compound and agree the matters in difference and diſpute, in ſuch manner as ſaid aſſignees, with ſuch conſent, ſhall think fit and can agree; and the ſame ſhall be binding to all the creditors of the ſaid bankrupts; and the aſſignees are hereby indemnified for what, they ſhall fairly do according to the direction aforeſaid.

Aſſignees with conſent of majority in value of creditors at meeting may ſubmit diſputes to arbitrators,

perform award, compound or agree,

binding on creditors.

LV. *ſect.* 55. Any aſſignee or aſſignees, made or choſen as aforeſaid, hereby impowered with the conſent of major part of ſuch bankrupt's creditors in value, preſent at a meeting for that purpoſe, of which publick notice ſhall be given in the Dublin Gazette, to make compoſition with any perſon or perſons, debtors or accomptants to ſuch bankrupts, where the ſame ſhall appear neceſſary and reaſonable, and to take ſuch reaſonable part as can upon ſuch compoſition be gotten in full diſcharge of ſuch debts and accounts.

Compoſition where reaſonable, with conſent at meeting on notice,

LVI. *ſect.*

LVI. *sect.* 56. After ſuch bankrupts have obtained their certificate, duly confirmed as herein mentioned, ſuch bankrupts ſhall and are hereby obliged to give their attendance upon every reaſonable notice in writing to them, or left at their uſual place of abode, by the aſſignees, or their order, requiring them to attend the aſſignees, in order to make up, adjuſt, or ſettle any account or accounts between ſuch bankrupts and any debtor to or creditor of ſuch bankrupt's eſtate, or to attend any court or courts of record, to be examined touching the ſame, or for ſuch other buſineſs, which ſuch aſſignees ſhall judge neceſſary for getting in eſtate and effects for benefit of their creditors; for which ſaid attendance the bankrupt ſhall be allowed and paid two ſhillings and ſix pence *per diem* by ſuch aſſignees out of the eſtate; and in caſe ſuch bankrupts neglect or refuſe to attend, or on ſuch attendance refuſe to aſſiſt in ſuch diſcovery, without good and ſufficient cauſe ſhewn to the commiſſioners, for ſuch neglect or refuſal, to be by them allowed as ſufficient, ſuch aſſignees making due proof thereof upon oath (or, being of the people called quakers ſolemn affirmation) before ſaid commiſſioners, the ſaid commiſſioners are hereby impowered and required to iſſue a warrant or warrants, to ſuch perſon or perſons as they ſhall think proper, for apprehending ſuch bankrupts, and them to commit to the county gaol, there to remain in cloſe cuſtody without bail or mainprize, until they duly conform to ſatisfaction of ſaid commiſſioners, and be by the ſaid commiſſioners, or ſpecial order of the lord chancellor, or otherwiſe by due courſe of law diſcharged; and ſuch gaoler or keeper of ſuch priſon, to which ſuch bankrupts committed, is hereby required to keep ſuch perſons in cloſe cuſtody within the walls of ſaid priſon, until duly diſcharged as aforeſaid, under the pains and penalties before mentioned for ſuch gaoler or keeper ſuffering ſuch priſoners committed purſuant to this act to eſcape, and go at large.

Bankrupts after certificate on reaſonable notice in writing to attend aſſignees, to ſettle account, or any court of record to be examined; allowed for attendance 2 s. and 6 d. a day; not attending, or refuſing to aſſiſt in diſcovery, without good cauſe, on oath of aſſignees, warrant by commiſſioners to apprehend and imprifon, 'till they conform, or diſcharged; gaoler to keep in cloſe cuſtody, 'till duly diſcharged.

LVII. *ſect.* 57. Within eighteen months after iſſuing any ſuch commiſſion, the aſſignees ſhall make a ſecond dividend of the bankrupt's eſtate and effects, in caſe the ſame was not wholly divided upon the firſt, and ſhall cauſe a notice to be inſerted in the Dublin Gazette of the time and place, the ſaid commiſſioners intend to meet to make a ſecond dividend and diſtribution, and for the creditors, who ſhall not before have proved their debts, to come and prove the ſame; and at ſuch meeting every ſuch aſſignee or aſſignees ſhall produce upon oath, or affirmation, as aforeſaid, his or their account or accounts of the bankrupt's eſtate and effects, and what upon the balance ſhall appear to be in his or their hands, ſhall, by the like order of the commiſſioners, be forthwith divided among ſuch of the bankrupt's creditors, who have made due proof of their debts, in proportion to their ſeveral and reſpective debts; which ſecond dividend ſhall be final, unleſs any ſuit at law or in equity depending, or any part of the eſtate ſtanding out that cannot have been diſpoſed of, or that the major part of the creditors ſhall not have agreed to be ſold and diſpoſed of in manner aforeſaid, or unleſs ſome other or future eſtate or effects of ſaid bankrupt ſhall afterwards come to, or veſt in ſaid aſſignees; in which caſe ſaid aſſignees ſhall, as ſoon as may be, convert ſuch future or other eſtate and effects into money in manner aforeſaid, and within two months next after any the ſame ſhall be converted into money as aforeſaid, by like order of the commiſſioners, divide the ſame rateably among ſuch bankrupt's creditors, who ſhall have made due proof of their debts under ſuch commiſſion.

2d dividend in 18 months on notice in Gazette, and for creditors to prove; aſſignees to produce accounts on oath; balance forthwith divided in proportion; 2d dividend final, unleſs ſuit depending, or part of eſtate ſtanding out, or future eſtate veſt in aſſignees, converted into money, and rateably divided.

LVIII. *ſect.* 58. No ſuit in equity ſhall be commenced by any aſſignee, without conſent of major part in value of creditors, preſent at a meeting purſuant to notice in Dublin Gazette for that purpoſe.

No ſuit in equity without conſent of major part in value at meeting.

LIX. *ſect.* 59. That there may be a certain place, where the creditors, or any perſon claiming any eſtate or intereſt under ſuch commiſſion, may have recourſe;

On petition proceedings recorded;

and that ſuch proceedings may be of record and given in evidence, upon the petition of any perſon to the lord chancellor, praying that ſuch commiſſions and the depoſitions taken thereon, or any part of ſuch depoſitions and ſuch certificates ſo to be allowed and confirmed, or any other matters or things relating to the ſaid commiſſions or proceedings thereupon, may be entered of record, the lord chancellor ſhall and may direct and order ſuch commiſſions, depoſitions, proceedings, and certificates, or other matters or things relating thereunto to be entered of record; and in caſe of the death of the witneſſes proving ſuch bankruptcy, or in caſe the ſaid

a copy evidence;

proceedings or other matters ſhall be loſt or miſlaid, a true copy of the record of ſuch commiſſions, depoſitions, and proceedings or other matters, ſigned and atteſted as herein after mentioned, ſhall and may upon all occaſions be given in evidence to prove ſuch commiſſion, and the bankruptcy of ſuch perſon againſt whom ſuch commiſſion awarded, or other matters or things relating thereunto; and all certificates,

certificates or copy evidence, and a bar againſt demands before ſuch commiſſion,

allowed and confirmed, and entered of record as aforeſaid, or a true copy of every certificate ſigned and atteſted as herein after mentioned, ſhall and may be given in evidence in any court of record, and be without any further proof deemed, adjudged, and taken a full and effectual bar and diſcharge of and againſt any action or ſuit, by any creditor or creditors of ſuch bankrupt for any debt or demand contracted, due, or demandable before the iſſuing ſuch commiſſion, unleſs any creditor or creditors, or the perſon that hath ſuch certificate, ſhall prove, that ſuch certificate

unleſs fraudulently obtained; coſts.

was fraudulently obtained; in which caſe coſts ſhall be allowed to either party as in other common caſes.

Lord chancellor to appoint a place in Dublin, and a perſon, to record;

LX. *ſect.* 60. The lord chancellor ſhall appoint a certain proper place within the city or liberties of the city of Dublin, where all the matters aforeſaid ſhall be entered of record, and where all perſons ſhall be at liberty to ſearch and ſee, if the ſame are duly entered of record; and the lord chancellor, ſhall by writing under his hand, appoint a proper perſon, who ſhall by himſelf or his ſufficient deputy, appointed by the lord chancellor, by writing under his hand, enter of record ſuch commiſſions, depoſitions, proceedings, and certificates, and other matters and things relating thereunto, and have the cuſtody of the entries thereof, and alſo appoint ſuch

deputy,

and reaſonable fee;

fee and reward to be paid to ſuch perſon for his labour and pains therein, as the lord chancellor ſhall think reaſonable, not exceeding what is uſually paid in like caſes; and that the perſon ſo to be appointed, and his deputy, ſhall continue to enter of record all the matters and things aforeſaid, and to have the cuſtody of the ſame ſo

during good behaviour;

long as he or they reſpectively behave themſelves well in entering the ſame of record, and keeping ſuch entries, and ſhall not be removed but by order in writing under the hand of the lord chancellor, on a good and ſufficient cauſe therein ſpecified; and in caſe ſuch perſon ſhall die, or be as aforeſaid removed, the lord chan-

on death or removal another appointed.

cellor, ſhall and may in writing, under his hand, appoint another perſon to enter the ſame of record, who ſhall have the cuſtody of the entries thereof, and have and receive like fee and reward for his labour and pains therein.

In ſuits for any thing done defendants may plead not guilty, or juſtify.

LXI *ſect* 61. If any action of treſpaſs or other ſuit ſhall happen hereafter to be brought againſt any commiſſioner authorized by this ſtatute, or any other perſon or perſons having authority by virtue of or under ſuch commiſſion for doing or executing any matter by force of this ſtatute, the defendant or defendants in any ſuch action or ſuit may plead Not Guilty, or otherwiſe juſtify, that the act or thing, whereof the plaintiff or plaintiffs complain, was done by authority of this act, without expreſſing or rehearſing any other matter or circumſtance contained in this act, or enforcing him or them to ſhew forth their commiſſion authorizing the ſaid act or thing; whereunto the plaintiff ſhall be admitted to reply, that the defendant

reply,

did the fact ſuppoſed in the declaration of his own wrong, without any ſuch cauſe

alledged

alledged by ſuch defendant or defendants, whereupon the iſſue in ſuch action ſhall be joined, to be tried by verdict of twelve men; and upon the trial of that iſſue the whole matter ſhall be given in evidence by both parties, according to the very truth of the ſame; and the perſon, for whom the verdict upon ſuch iſſue ſhall paſs, ſhall have his coſts.

iſſue, trial, the whole in evidence; coſts.

LXII. *ſect.* 62. The diſcharge of any bankrupt by force of this act from the debts by him due and owing at the time that he did become bankrupt, or at the iſſuing of ſuch commiſſion, ſhall not be conſtrued, meant, or intended to releaſe or diſcharge any other perſon or perſons, who was or were partner or partners with the ſaid bankrupt in trade at the time he became bankrupt, or then ſtood jointly bound, or had made any joint-contract together with ſuch bankrupt for the ſame debt or debts, for which he was diſcharged as aforeſaid, but notwithſtanding ſuch diſcharge ſuch partner and partners, joint-obligor and obligors, and joint-contractors with ſuch bankrupt and bankrupts, ſhall be and ſtand chargeable with, and liable to pay, ſuch debt and debts, and to perform ſuch contracts, as if the ſaid bankrupt had never been diſcharged from the ſame.

Partners, joint-obligors and contractors not diſcharged.

LXIII. *ſect.* 63. No perſon, who ſhall be really and *bona fide* a creditor of any bankrupt for and in reſpect of goods really and *bona fide* ſold to ſuch bankrupt, or of any bill or bills of exchange, really and *bona fide* drawn, negociated, or accepted by ſuch bankrupt in the uſual and ordinary courſe of trade and dealing, ſhall be liable to refund or repay to the aſſignees of ſuch bankrupt's eſtate any money, which before the ſuing forth ſuch commiſſion, was really and *bona fide*, and in the uſual and ordinary courſe of trade and dealing received by ſuch perſon from any ſuch bankrupt, before ſuch time as the perſon receiving the ſame ſhall know, underſtand, or have notice, that he is become a bankrupt, or that he is in inſolvent circumſtances.

*Bona fide* creditor for goods really ſold to or bills drawn or accepted by bankrupt in uſual courſe of trade, not to refund.

LXIV. *ſect.* 64. The obligee in any bottomry or *reſpondentia bond*, and the aſſured in any policy of inſurance in the courſe of trade, made and entered into upon a good and valuable conſideration, *bona fide*, ſhall be admitted to claim, and after the loſs or contingency happened, to prove their debt and demands, in reſpect to ſuch bond or policy of inſurance, in like manner, as if the loſs or contingency had happened before the time of the iſſuing the commiſſion of bankruptcy againſt ſuch obligor or inſurer, and ſhall be intitled unto, have and receive a proportionable part, ſhare, and dividend, in proportion to the other creditors, in like manner as if ſuch loſs or contingency had happened before the commiſſion iſſued; and all perſons againſt whom any commiſſion of bankruptcy awarded, ſhall be diſcharged of and from the debt or debts owing by them on every ſuch bond or policy of inſurance, and ſhall have the benefit of this ſtatute, as if ſuch loſs or contingency had happened, and the money had become payable before the iſſuing ſuch commiſſion.

In bottomry or policies claim admitted after loſs or contingency happened, to prove debt, as if before commiſſion iſſued; and a proportionable dividend; and bankrupt diſcharged.

LXV. *ſect.* 65. It ſhall be lawful for the lord chancellor, from time to time to ſettle and regulate the fees, which ſhall be taken by, and paid to, the ſeveral officers and perſons concerned in the iſſuing and ſuing forth every ſuch commiſſion, and upon all petitions and proceedings in the execution thereof, other than ſuch fees as hereby ordered.

Fees ſettled by lord chancellor.

LXVI. *ſect.* 66. This act ſhall continue in force ſeven years from the 24th of June, one thouſand ſeven hundred and ſeventy-two, and to the end of then next ſeſſion, and no longer.

7 years from 24 June 1772, &c.

# Barracks.

Purchaſes by and leaſes to truſtees veſted in King, for uſe of the barracks.

I. *Stat.* 7 *Geo.* 3. *cap.* 6. All lands purchaſed by and let to truſtees purſuant to letters patent 12 *Wil.* 3. veſted in his majeſty, his heirs and ſucceſſors for the uſe of the barracks, any law, ſtatute, or other matter to the contrary notwithſtanding.

Value and rent aſcertained by jury, as by 4 G. 1. c. 7.

certified to Exchequer in 31 days;

final notwithſtanding any diſability.

(2) The preſent commiſſioners and their ſucceſſors, or ſuch as ſhall be appointed commiſſioners for the barracks, or any three or more may carry into compleat execution the ſeveral powers of purchaſing, taking grants or leaſes, of lands, on which it may be expedient to build barracks or light-houſes, and of aſcertaining the value or the rents to be reſerved, and in caſe of refuſal or diſability of the owners or proprietors, may iſſue warrants to ſheriffs of the counties to ſummon a jury to aſcertain the yearly value of ſuch lands, and for a leaſe to be made to his majeſty in ſuch manner as is preſcribed by the act 4 *Geo.* 1. and ſuch verdicts or inquiſitions, as ſhall be ſo found and returned, by the ſaid jury aſcertaining the rent, as alſo all ſuch contracts and conveyances as the ſaid commiſſioners ſhall make, ſhall be returned and certified to his majeſty in the court of exchequer, by the ſaid commiſſioners within thirty one days next after ſuch verdict or inquiſition found, or contracts or conveyances made thereof be entered among the records of the ſaid court; which contracts or conveyances, verdicts or inquiſitions, ſhall be final and concluſive as well to his majeſty, his heirs and ſucceſſors, as to the ſeveral owners, proprietors, and tenants, notwithſtanding any diſability or incapacity whatſoever, and immediately after payment of ſuch ſums as ſhall be agreed to be paid for the purchaſe of the ſame, or contract entered into for payment of an annual rent, as alſo from the time of ſuch verdict or inquiſition found and returned into the exchequer, ſhall be veſted in his majeſty, his heirs and ſucceſſors, for the uſe of ſaid barracks and light-houſes, notwithſtanding any diſability or incapacity whatſoever, any law, ſtatute, or other matter or thing whatſoever, to the contrary notwithſtanding.

Decayed barracks ſold publickly, 1 month's advertiſement, the money to publick uſe.

(3) Commiſſioners, or any three, as often as authoriſed by order of chief governors, may by indenture inrolled, convey or ſell the title of the crown to decayed barracks or the ground by publick cant to the higheſt bidder, provided one month's notice given in the Dublin Gazette and ſome other publick paper of intelligence of the time and place for ſuch ſale, and the money ariſing be paid into the treaſury for uſe of the publick.

# Bogs.

Papiſts may take a leaſe of 50 acres of unprofitable bog, and half an acre adjoining of arable as a ſite for a houſe, or delving for manure, at rent agreed, not exceeding 61 years.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 21. *ſect.* 1. Whereas there are large tracts of deep bogs not only unprofitable, but unwholeſome; and capable of improvement, if encouragement given to the lower claſs: Every papiſt, or perſon profeſſing the popiſh religion, who ſhall be deſirous to employ his induſtry and money for the improvement of the kingdom by reclaiming unprofitable bog, ſhall be at liberty to take a leaſe of any tract or quantity of ſuch bog, not exceeding fifty acres, plantation-meaſure, and one half of an acre of arable land, as a ſite for an houſe, or for delving for gravel or limeſtone for manure, next adjoining to ſuch bog, and to hold the ſame at ſuch rent, as ſhall be agreed upon between him and the owner of ſuch bog, for any term of years not exceeding ſixty one years, the laws made to prevent the further growth of popery, to the contrary notwithſtanding.

Like leaſes made by tenants for life, biſhops, or bodies corporate.

II. *ſect.* 2. It ſhall be lawful for every tenant for life, archbiſhop, biſhop, and body corporate, eccleſiaſtical or civil, to make leaſes of any unprofitable bog, for reclaiming the ſame, and alſo of any quantity of arable land, not exceeding one half

half of an acre, as a ſite for an houſe, or for delving for gravel or limeſtone for manure, next adjoining to ſuch bog, for any term not exceeding ſixty one years, at ſuch rent as ſhall be agreed upon.

III. *ſect.* 3. No greater quantity of ſuch bog ſhall be ſo ſet to any one perſon than fifty acres, plantation meaſure.

IV. *ſect.* 4. From the expiration, ſurrender, or other determination of ſuch leaſe, no longer leaſe of ſuch bog, ſo to be reclaimed, ſhall be made by any eccleſiaſtical perſon, or body corporate, than ſuch leaſe as is preſcribed by the eleventh of *Charles* the firſt, intituled, *An act for the preſervation of the inheritance, rights, and profits of lands belonging to the church, and perſons eccleſiaſtical.*

Afterwards no longer by eccleſiaſticks or body corporate, than as by 10 & 11 C. 1. c. 3.

V. *ſect.* 5. If the bog ſo to be demiſed, or one half part thereof, ſhall not be reclaimed within twenty one years from the commencement of the leaſe, the ſaid leaſe ſhall at the expiration of twenty one years be null and void to all intents.

If half not reclaimed in 21 years, void.

VI. *ſect.* 6. Every bog, reclaimed under this act, ſhall be free from payment of tythes, or grand jury or veſtry ceſſes, or applotments, for ſeven years from the time of being reclaimed, and no longer.

Reclaimed, free 7 years from tithes or ceſſes.

VII. *ſect.* 7. No bog conſidered as unprofitable, ſo as to intitle the reclaimer thereof to benefit of this act, which ſhall not be four feet deep from the ſurface to the bottom of the bog when reclaimed; nor ſhall any perſon be intitled to benefit of this act for reclaiming any bog of leſs dimenſions than ten plantation-acres; nor ſhall this act extend to any bog within one mile of any city or market-town.

To be 4 feet deep; no leſs than 10 acres reclaimed, not within 1 mile of a town.

## Brewers.

I. *Stat.* 7 *Geo.* 3. *cap.* 27. *ſect.* 6. If any veſſel for brewing let out for hire without notice given as by 33 *G.* 2. and any officer of exciſe ſhall find or diſcover the ſame, and no perſon claims property therein, ſuch officer may ſeiſe and carry ſuch veſſel to the next exciſe office; and if not claimed within 21 days after the day of ſeiſure, forfeited and confiſcated.

Veſſels hired without notice as by 33 G. 2. c. 10. f. 73. ſeiſed and forfeited if no property claimed.

II. *ſect.* 7. Every common and retailing brewer for ſale, and perſons employed to attend brewhouſes or ſtorehouſes, ſhall, as often as required by the officer appointed to view, guage, and take account, ſhew all the ſtock then in hand of beer, ale, guile, or wort, under penalty of twenty pounds forfeited by ſuch brewer in caſe of refuſal, and of ten pounds by the perſon ſo refuſing; and if ſuch officer on ſearch find any not declared or ſhewn, brewer forfeits five pounds for every barrel concealed, with all ſuch beer, ale, guile, or worts; ſaid penalties and forfeitures over and above all other ſuch brewer ſubject to by any law of exciſe now in being.

Refuſing guager 20l. perſon employed 10l. Concealment, 5l. per barrel, and the beer, above other penalties.

III. *Stat.* 11 & 12 *Geo.* 3. *cap.* 7. *ſect.* 9. All who after 24 June 1772 have or keep any brewhouſe, kieve, or pan for brewing, and let out the ſame for hire, ſhall give notice in writing to and ſerve the ſame on the guager or other officer of the diſtrict 24 hours at leaſt, before he ſhall let out, mentioning the perſon's name and abode to whom they have agreed to let out, under five pounds penalty every time let out without ſuch notice.

24 hours notice in writing, on hiring out, 5l. penalty.

IV. *ſect.* 10. After 14th Auguſt 1772, every common brewer, or perſon brewing beer or ale for ſale, ſhall, as often as they deliver to retailer or other perſons ſelling, ſend and deliver therewith a certificate ſigned by ſuch brewer or other perſon, or their clerk or head ſervant, ſpecifying the real quantity, and whether ſuch beer and ale were above ſix ſhillings the barrel, or of ſix, or under, when brewed, and to whom and when particularly delivered; which certificate ſhall be accepted by the perſon, to whom ſuch beer or ale ſent, and given to the guager, where ſuch retailer

Certificate by brewer to retailer,

given to guager,

entered. Penalty 5l.

5l. per barrel on retailer.

retailer reſides, on his next viſit, who ſhall enter a copy in his guage book, and file the original at the exciſe-office. If ſuch certificate not delivered to retailer, ſuch common brewer ſhall forfeit every offence five pounds; if exciſe-officer finds in poſſeſſion of ſuch retailer beer or ale, for which no certificate granted and produced, ſuch retailer chargeable with the duty on beer and ale, and alſo forfeits five pounds for every barrel ſo found.

V. *ſect.* 20. Continued two years, &c. from 24th June 1772.

## Bricks.

Not burned within 2 miles, forfeited, and 10 s. per 1000.

I. *Stat.* 11 *Geo.* 3. *cap.* 6. *ſect.* 1. No perſon ſhall make or cauſe to be made, burn or cauſe to be burned, any bricks within two meaſured miles from the publick lamps of the city of Dublin, on pain of forfeiting the bricks, and ten ſhillings for every thouſand.

Summons by 2 juſtices,

ſale.

II. *ſect.* 2. Two or more juſtices on complaint ſhall ſummon perſons complained of; and on appearance or default, and due proof of ſuch offence by oath of one credible witneſs convict, and by warrant under hand and ſeal, order ſale by publick cant, and ſaid penalty to be levied by diſtreſs and ſale of goods.

To informer and Mercer's hoſpital.

Impriſonment 3 months.

Pariſhioners witneſſes.

III. *ſect.* 3. One moiety of the produce of the bricks after deducting neceſſary expences of ſale and levying, paid to firſt informer; the other to Mercer's hoſpital. For want of ſufficient diſtreſs, committed to common gaol of the city or county without bail or mainpriſe, not exceeding three months.

IV. *ſect.* 4. Pariſhioners and inhabitants of the pariſh, liberty, or precinct, where offence committed, except receiving alms, admitted and allowed competent witneſſes notwithſtanding.

## Burial.

No burial, or breaking ground for it within church or chapel or under ſame roof, or 12 feet outſide the walls, nor the ſervice performed,

penalty 10l. by civil bill, by a church warden or pariſhioner,

laid out in repairs.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 22. *ſect.* 1. No perſon ſhall bury any dead body or break up any floor, ground, or pavement, within the walls of any church or chapel, or chancel, ayle, room, or place thereunto belonging, under the ſame roof with ſuch church or chapel, or within twelve feet on the outſide of the walls of any church or chapel, for the burying any dead body; and no eccleſiaſtical perſon ſhall perform that part of the burial ſervice, appointed to be ſaid at the grave of any dead perſon, within the walls of any church or chapel, chancel, ayle, room, or place thereunto belonging, or within twelve feet on the outſide of the walls of any church or chapel; and every perſon, who ſhall offend herein, ſhall forfeit every ſuch offence ten pounds, recovered by civil bill by the church wardens, or either of them, or by any pariſhioner of the pariſh wherein ſuch offence committed; to be accounted for at the next veſtry after the ſame ſhall be received, and laid out in repairs of ſuch church or chapel.

Vaults under churches, the only door on outſide, excepted.

II. *ſect.* 2. Nothing herein ſhall extend to prevent the burying in any arched vault under any church, chapel, chancel, or ayle, room, or place thereunto belonging, where the only door to ſuch vault opens on the outſide of the walls of ſuch church, or chapel, chancel, ayle, room, or place.

Read in churches 4 times a year.

III. *ſect.* 3. This act ſhall be read in every cathedral and pariſh church in this kingdom after morning prayer on every firſt Sunday in May, Auguſt, November, and February, in every year.

I. *Stat.*

## Burning Land.

I. *Stat.* 11 *Geo.* 3. *cap.* 2. *ſect.* 3. Perſons, who after 10th May 1771 burn the ſoil or ſurface or permit it, contrary to proviſions in 17 *Geo.* 2. *cap.* 10. or 1 *Geo.* 3. *cap.* 12. *ſect.* 2. or to the intention of this act, ſhall, inſtead of the penalties by ſaid acts, forfeit five pounds for every Engliſh ſtatute acre, over and above all rent, ſo to be burned; recovered in the ſame manner as the penalties by ſaid acts.

Penalty 5l. per acre.

## Cambrick and Lawn.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 7. *ſect.* 12. Perſons, who after 24th June 1772 introduce any foreign cambricks or lawns, and knowing the ſame foreign offer to ſale as, or denominate or aſſert ſuch to be *Britiſh* or *Iriſh*, ſhall for every ſuch offence, over and above forfeiture thereof forfeit fifty pounds; one moiety to uſe of the company for cambrick manufacture in *Dundalk* or elſewhere, the other to informer.

Foreign, forfeited and 50l. if offered as Britiſh or Iriſh.

II. *ſect.* 20. Continued two years, *&c.* from 24th June 1772.

## Church Lands.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 17. *ſect.* 1. In all caſes hereafter, where any archbiſhop, biſhop, or other eccleſiaſtical perſon, ſhall purchaſe to them and their ſucceſſors, houſes already built, with conveniencies belonging, or lands fit for ſuch buildings, with the conſents, and for the purpoſes mentioned in the act 10 *Will.* 3. the purchaſe-money, and the expence of buildings, additions, and repairs being aſcertained, and a certificate granted in the manner directed by the act of the twelfth of *George* the firſt, ſhall be repaid by the ſucceſſors, in the proportions, at the times, and in the manner directed by the laſt mentioned act.

On Purchaſe by eccleſiaſticks as by 10 W. 3. c. 6. expences aſcertained and certificate as by 12 G. 1. c. 10. repaid by ſucceſſors.

II. *ſect.* 2. A fee-farm leaſe, or a leaſe of lives with a covenant of renewal for ever, ſhall be deemed and taken to be a purchaſe within the intention and meaning of this act, and a ground-rent may be reſerved out of the premiſſes ſo purchaſed.

Perpetual leaſes, a purchaſe.

III. *ſect.* 4. In all caſes, where any archbiſhop, biſhop, or other eccleſiaſtical perſon ſhall from and after the paſſing of this act, obtain a certificate for erecting new buildings, or for making other neceſſary improvements on a new ſite within his demeſne, glebe, or menſal lands, in ſuch manner as is by the in part recited act directed, ſuch archbiſhop, &c. his executors or adminiſtrators reſpectively, ſhall from his next and immediate ſucceſſor inſtead of three fourths have and receive the full ſum comprized and ſpecified in ſuch certificate.

On certificate for new buildings or neceſſary improvements on a new ſite as by 12 G. 1. c. 10. the full ſum from ſucceſſor.

IV. *ſect.* 5. Such ſum ſhall not exceed the clear value of two years income.

Not exceeding 2 years income.

V. *ſect.* 6. This act ſhall not be conſtrued to extend to any repairs, additions, or improvements, which ſhall be made to any buildings, or other improvements formerly made, but every ſuch archbiſhop, biſhop, and other eccleſiaſtical perſon, making ſuch repairs, additions and improvements as aforeſaid, ſhall receive the ſame proportion of the money expended, to which they were intitled before the making this act; and ſuch ſucceſſor, having paid the ſum ſo certified as aforeſaid, he, or his executors or adminiſtrators, ſhall be intitled to and receive three fourths thereof from his next ſucceſſor, which ſucceſſor having paid ſaid three fourths of the firſt ſum, he or his executors or adminiſtrators, ſhall be intitled to and receive two thirds thereof, that is, one moiety of the ſum firſt certified, from his next ſucceſſor, which ſucceſſor having paid ſaid moiety of the firſt ſum, ſhall be intitled to and receive from his next ſucceſſor one half thereof, that is, one fourth of the ſum in the firſt certificate; all which ſums, ſhall and may be recovered

Not extended to former improvements.

Succeſſor intitled to three fourths,

next two thirds,

next one fourth,

as by the ſeveral laws now in being.

within the times, and in the ſame manner, as is appointed by the ſeveral laws now in being, relative to the payment and recovery of money laid out in buildings and improvements on the demeſne or menſal lands and glebes of archbiſhops, biſhops, or other eccleſiaſtical perſons.

The three fourths paid as by 12 G. 1. c. 10.

the laſt fourth not till the end of 2 years.

VI. *ſect.* 7. Such ſucceſſor to the perſon, who obtained the ſaid certificate, ſhall pay three fourths of the ſums ſo certified in the proportions, at the times, and in the manner as is directed by the in part recited act, but ſhall not be compellable to pay the laſt remaining fourth of the ſum ſo certified and made payable by this act, until the end of two years, to be computed from the time he became chargeable with the payment of the whole ſum certified as aforeſaid.

Tho' evidence of conſolidations or appropriations loſt, the whole value inſerted in the valuation and certificate.

VII. *ſect.* 9. Where any buildings and improvements have been or ſhall be made on any glebe or menſal lands belonging to any dean, archdeacon, prebendary, or other dignitary, or on lands belonging to any benefice, rectory, or vicarage, which have been united or conſolidated to ſuch dignities, from time immemorial, or for the conſolidation and appropriation thereof royal charters have been granted, though the evidence of ſuch conſolidations and appropriations is now loſt by the length of time and the troubles of this kingdom; in all ſuch caſes the whole value of all ſuch dignities, and the ſeveral livings thereto united, annexed, or appropriated, ſhall be included and inſerted in the valuation, and in the certificate granted for ſuch buildings and improvements.

Sites of glebe houſes changed, building and improvements on more convenient part,

VIII. *ſect.* 10. It ſhall be lawful for any eccleſiaſtical perſon having any benefice with cure of ſouls, with conſent and approbation of the archbiſhop or biſhop, ſignified by writing under his hand and ſeal, to change the ſite of the glebe houſe to ſuch benefice belonging, and to make, build, or erect a new glebe houſe, outhouſes, orchards, gardens, and other neceſſary improvements on any other part of his glebe land belonging to his benefice, that ſhall be more fit and convenient for the reſidence of him and his ſucceſſors; and ſuch eccleſiaſtical perſons, who ſhall build and improve in manner aforeſaid, or have already built and improved on a new ſite, and have procured or ſhall procure ſuch certificate, as is directed by ſaid former acts, ſhall be intitled to all the encouragements, and have, take, receive, and recover all ſuch ſums, as they would or might be intitled to for the building ſuch houſe, and making ſuch improvements by ſaid former acts, and this act; and the immediate ſucceſſors of ſuch incumbents, and their ſucceſſors reſpectively, and their reſpective executors or adminiſtrators, ſhall be intitled to, and receive ſuch proportions of the money laid out and expended in erecting ſuch new houſe, and making other improvements, as they would be reſpectively intitled to by virtue of ſaid former acts, or this act; the ſaid ſeveral and reſpective ſums to be received and recovered at ſuch times, and in ſuch manner, and by ſuch ways and methods, as eccleſiaſtical perſons are enabled by ſaid former acts, and this act, to recover any money laid out in building and making other improvements on their glebe lands.

intitled to all encouragements.

No certificate for ſuch new building, &c. unleſs all demands for the houſe, whoſe ſite changed releaſed.

IX. *ſect.* 11. No eccleſiaſtical perſon, who at the time of his building or improving on ſuch new ſite ſhall have a manſion houſe on his glebe, ſhall be intitled to or have any certificate for ſuch new building or improvements, until he ſhall execute and perfect a good and ſufficient releaſe and diſcharge of all demands whatſoever, that he, his executors, or adminiſtrators might, or could have had, or be intitled unto, for or on account of the building or improving of that houſe, whereof the ſite ſhall be changed purſuant to this act.

Not obliged to repair the former,

X. *ſect.* 12. No eccleſiaſtical perſon, that has changed or ſhall change the ſite of his glebe houſe, and make new buildings and improvements, ſhall, from the time he ſhall ſo build and improve, be obliged to keep the former glebe houſe or out-

out-houſes, in repair, or be chargeable with dilapidations for not repairing thereof.

XI. *ſect.* 13. In all caſes whatſoever, where any dilapidations have happened, either by neglect of the incumbent or any of his predeceſſors, and the glebe houſes or other improvement are out of repair, or in a ruinous or decayed condition for want of the proper, annual, and neceſſary repairs, it ſhall be lawful for the ſeveral archbiſhops and biſhops within their reſpective dioceſes (after ſuch commiſſion iſſued, and ſuch ſteps taken to aſcertain ſuch ſums, as ſhall be adjudged reaſonable to be expended for repair of ſuch dilapidations, as by an act made in the eighth of his preſent majeſty, and the laws now in force in this kingdom are directed) to iſſue a monition under ſeal to the incumbent, admoniſhing him, within a certain time ſpecified, effectually to repair all ſuch defects, as have ſo happened by means of ſuch dilapidations, and to reſtore the ſame, and put the ſaid houſe and other improvements in ſuch ſtaunch and habitable order and condition, as that the ſame may be fit and proper for the reſidence of the incumbent and his ſucceſſors; and in caſe the incumbent, after being duly ſerved, refuſe or neglect to obey, the ſeveral archbiſhops and biſhops, within their dioceſes, are hereby ſpecially required to put one moiety of the rents and profits of ſuch benefice or other eccleſiaſtical preferments, under ſequeſtration, until a ſum received ſufficient to anſwer the purpoſes of ſaid monition, and to put ſuch houſe or other improvements in ſtaunch and habitable order and condition, ſo as to be fit and proper for the reſidence of the incumbent and his ſucceſſors; and every ſuch incumbent, or, in caſe a vacancy ſhall happen, every ſucceſſor, ſhall effectually repair all ſuch defects, as were ſpecified in the ſaid monition, and ſhall receive from time to time from ſuch ſequeſtrator, ſuch ſums, as ſhall be neceſſary to compleat ſuch repairs, and in the ſpace of twelve months ſhall produce proper vouchers to the archbiſhop or biſhop, that the money, raiſed in manner aforeſaid, has been juſtly laid out in ſuch repairs.

On dilapidations, commiſſion and adjudication as by 7 G. 3. c. 9. biſhop's monition to iſſue, to incumbent for repair,

or a ſequeſtration of a moiety,

vouchers of repair in 12 months.

XII. *ſect.* 14. Nothing in this act ſhall be conſtrued to extend to take away from the force of any law or ſtatute now in being, to prevent dilapidations, but the ſame ſhall continue in full force, as if this act never made, unleſs where altered or amended by this act.

Former laws againſt dilapidations, unleſs altered, in force.

## Coaches, &c.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 2. *ſect.* 7. Additional duty twenty ſhillings by every perſon for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which he ſhall keep in his poſſeſſion, except hackney and ſtage coaches, and by coachmakers, for ſale, at any time between 25th of December, 1771 and 1772 incluſive; and twenty ſhillings, between 25 December, 1772 and 1773 incluſive.

Duty 20s. to 25 December 1772, and 20s to 1773.

II. *ſect.* 14. For better collecting ſaid duty every perſon, who after 25 December 1771, ſhall have or keep the ſame, ſhall within three calendar months, after 25 December 1771, or after he or ſhe ſhall ſo have or keep, by writing under his or her hand, certify to the collector of exciſe, in ſome one of the diſtricts, where he or ſhe ſhall reſide or dwell, within the time aforeſaid, a true account of every ſuch coach, &c. except as aforeſaid, with the name of the place, and pariſh of reſidence or abode at time of giving ſuch certificate; which certificate ſhall be kept by the collectors, and alſo entered and regiſtered in an alphabetical book kept for that purpoſe, and a copy of ſuch entry, ſigned by ſuch collector, or his clerk delivered if required, without fee or reward, to the perſon delivering certificate; and a number entered on each certificate ſo regiſtered. Said collectors reſpectively

Certificate in 3 months to collector,

regiſtered and numbered,

copy given,

lists returned,

shall under their hands on or before the 25 day of December in every year, give a true list of all coaches, &c. from time to time returned to them in such certificates, with names of the persons and places of abode in such certificates, to the persons for the time being appointed by commissioners of excise, or any three, to collect and receive said duties, who shall have full power and authority to levy, collect, and receive the same within the district, where the certificate entered, in same manner as the revenue from fire hearths is now by law levied, collected, and received, and respectively sign and deliver acquittances without fee or reward for the same, and keep duplicates thereof in a book for that purpose, in same manner as the duty of fire-hearths, and return said book to such persons, and at same time, and to be disposed of in same manner, as books of duplicates of acquittances for duty on fire-hearths are returned.

acquittances given, duplicates kept, returned as for hearth-money.

10l. not certifying, as by 14 and 15 C. 2. c. 8.

III. *sect.* 15. If any person shall have or keep any coach, &c. chargeable with said duty by this act, not certified as aforesaid, he shall for such neglect forfeit ten pounds, sued for, recovered, levied, and applied as by an act 14 and 15 C. 2. for settling the excise.

Charged as owner.

IV. *sect.* 16. Every person, except as before, having in his keeping or possession, any coach, &c. belonging to another, shall be charged for every such coach, &c. with said duty, in same manner, as the owner or proprietor is or ought to be by this act.

Collectors to keep separate accounts,

pay into treasury.

V. *sect.* 17. Persons for being authorized and impowered to collect and levy said duty, shall pay the same to said collectors, of the several districts, where said duties collected and raised; who shall keep separate and distinct accounts thereof, and pay into the treasury as other money received by them for the use of his majesty.

## Coal.

3 G. 3. c. 27. continued 8 years.

I. *Stat.* 7. *Geo.* 3. *cap.* 20. *sect.* 4. The act to prevent excessive price of coals in city of Dublin, continued eight years from 1 January 1769, and to end of the then next session.

No reward to factors in Dublin.

II. *Stat.* 11 *Geo.* 3. *cap.* 5. *sect.* 1. No master, owner, or mate of any coal-ship or vessel within the port or city of Dublin, shall give or promise any fee, gratuity, reward, or allowance whatsoever to any factor, purser, agent, or other person for selling any coals; and none shall receive or contract to receive the same. Every person, who shall offend herein, shall for every such offence forfeit one hundred pounds, to be recovered and applied as by 1 G. 3. c. 10.

penalty 100l.

III. *sect.* 2. No persons whatsoever, except the master or mates and the persons authorized by said act, shall sell any coals within port or city of Dublin. Every offence fifty pounds, recovered and applied as before.

Sold only by master or mate, &c. 50l.

No reward save freight to gabbard or lighter.

IV. *sect.* 3. No master, owner, or mate, shall give or promise any master, or owner of gabbard, or lighter, or other person any fee, gratuity, reward, or allowance whatsoever, except freight not exceeding one shilling and six pence *per* ton, for carrying any coals from such vessels to the Quays; and no master or owners of gabbards or lighter, or other person shall receive; every offence fifty pounds, recovered and applied as before.

Irish coal by inland canal considered imported. to 24 June 1774, &c.

V. *sect.* 4. All coals, brought into Dublin, from any colliery in this kingdom by any inland canal, considered as imported, and master or owner intitled to all premiums, and encouragements for bringing Irish coals into said city.

VI. *sect.* 5. This act shall continue in force until 24th June 1774, and to end of then next session.

VII. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *sect.* 1. An act thirty-first of George the second, for supplying the city of Dublin with coals, and encouragement of the collieries shall continue in force until the twenty-fourth of June, 1792, and to the end of the then next session.

I. *sect.*

# Cork.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 18. *ſect.* 1. After the firſt of July next, it ſhall be lawful for the lord mayor, ſheriffs, and common-council of the city of Cork, to aſſemble at ſuch time or times, as they ſhall ſee moſt neceſſary, and that they or the majority of them ſo aſſembled, ſhall by one or more orders under their hands, appoint two or more inhabitants of each of the pariſhes of ſaid city, to be valuators for the purpoſes herein after mentioned; and ſuch valuators, or any ſeven or more ſhall have full power, and are hereby required to value and aſcertain diſtinctly and ſeparately the yearly value of each dwelling-houſe, out-houſe, office, cellar, ſtable, linney, and yard in the ſaid ſeveral pariſhes, and ſhall after making ſuch valuations reduce the ſame to writing, diſtinguiſhing the valuation of each pariſh by itſelf; and ſuch valuators, or any ſeven or more, ſhall in ſuch valuation mention the names of the immediate tenants or occupiers of the reſpective premiſſes ſo valued; and upon the completion of the valuations of each of ſaid pariſhes, the ſaid valuators, or any ſeven or more, ſhall return the ſame in writing under their hands and ſeals to the mayor; and ſaid valuations, ſhall be depoſited in the office of the town clerk, there to remain as publick records, for the inſpection of inhabitants of ſaid city of Cork and liberties; and other copies of ſaid valuations, atteſted by the town clerk, ſhall with all convenient ſpeed be delivered to the treaſurer of the county of ſaid city; and other copies to the perſons, or one of the perſons, that ſhall be the contractors or contractor for erecting, ſupplying and maintaining public lights in ſaid city; and a copy of the valuation of each of ſaid pariſhes, to the reſpective church-wardens, or one of them, to be kept amongſt the veſtry books, ſo that each pariſh may be in the poſſeſſion of its own valuation: and copies of ſuch valuations, atteſted by ſaid town clerk, ſhall in all courts, and upon all occaſions, be deemed full and ſatisfactory evidence of ſuch valuations.

2 or more of each pariſh in Cork appointed valuators by mayor, ſheriffs, and common council aſſembled, or the majority,

7 to value ſeparately each houſe, &c.

reduce to writing, diſtinguiſhing each pariſh, tenants names, return under ſeals to the mayor,

depoſited with town clerk, for inſpection of inhabitants,

atteſted copies to treaſurer, to contractors for the lights, to church-wardens for each pariſh, kept in veſtry, evidence in all courts of ſuch valuations.

II. *ſect.* 2. Whenever any dwelling-houſe, out-houſe, office, cellar, or ſtable, ſhall be rebuilt or enlarged in ſaid city or the ſuburbs, or any new erected or built, or any out-houſe, &c. changed into a dwelling-houſe, or other houſe or office, the mayor, ſheriffs, and common-council of ſaid city, or the majority in common-council aſſembled, ſhall direct, that the valuators ſo appointed, or any ſeven or more, ſhall value and aſcertain the yearly value of ſuch new erected, rebuilt, or enlarged houſe, and the yearly value of ſuch new built or erected dwelling-houſe, out-houſe, office, cellar, ſtable, linney, or yard, and of ſuch dwelling-houſe, or other houſe, or office, made out of ſuch houſe, &c. and ſuch valuation ſhall be inſerted in or added to the original valuation of the pariſh, and the ſaid valuators, or any ſeven or more, are required to make ſuch ſeveral new valuations, as are herein before mentioned, accordingly; and ſuch new valuations ſhall, from the reſpective times of their being inſerted in or added to the ſaid original valuations, be deemed and taken as part of ſaid original valuations.

New valuations of rebuilt or enlarged or newly erected, and added to the original.

III. *ſect.* 3. The mayor, ſheriffs, and common-council of ſaid city, or majority in common-council aſſembled, ſhall from time to time, as occaſion ſhall require, by ſuch order or orders, appoint one or more valuator or valuators, in the room and ſtead of ſuch as ſhall happen to die or remove from ſuch pariſh; and ſuch new valuator ſhall have like power and authority with any of the ſaid other valuators.

On death or removal new valuators ſo appointed.

IV. *ſect.* 4. The herein before mentioned valuators ſhall have full power to enter in the day-time into and upon any dwelling-houſe, out-houſe, office, cellar, ſtable, linney, or yard in ſaid city, and ſuburbs, and to inſpect the ſame, in order the better to aſcertain the true yearly value.

Valuators may by day enter,

V. *ſect.* 5. The ſaid valuators ſo appointed, ſhall be ſummoned to appear at ſome court of quarter-ſeſſions of the peace held for the county of ſaid city, or at ſome

Valuators ſummoned to quarter ſeſſions, and take oath,

ſome adjournment of ſuch court, and then and there, in open court, each of the ſaid valuators ſhall take the following oath, to wit,

*I A. B. Do ſwear, that I will, to the beſt of my knowledge, ſkill, and judgment, value or aſcertain the truly yearly value of every dwelling-houſe, out-houſe, office, cellar, ſtable, linney, and yard in the ſaid city of Cork, and the ſuburbs thereof, without favour or affection, malice, or ill-will to any perſon or perſons whatſoever, and that I will make a true and juſt return to the mayor of the ſaid city, of ſuch valuation ſo made, and no other.*

On refuſal or neglect fined not above 20l. nor under 5l.

Which oath the ſaid court is hereby authorized to adminiſter. And in caſe any of ſaid valuators refuſe or neglect to appear, purſuant to ſuch ſummons, or appearing, refuſe or omit to take the aforeſaid oath, the ſame being tendered to him, then it ſhall be lawful for ſuch court of quarter-ſeſſions to impoſe a fine, not exceeding twenty pounds, and not leſs than five, on ſuch valuators, and ſuch court ſhall cauſe proceſs in the nature of an execution to iſſue againſt the valuator ſo fined, directed to the ſheriffs of the county of the city, to levy of the goods and chattles of ſuch valuator the amount of ſaid fine; which fine, when levied, the ſaid ſheriffs are hereby required to pay over to the governors of the work-houſe of the city of Cork, for uſe of the ſaid work-houſe.

Proceſs to ſheriffs to levy,

to uſe of the work-houſe.

Reſummoned, & fined *toties quoties.*

VI. *ſect.* 6. Such valuator, as ſhall be fined as aforeſaid, ſhall be reſummoned to appear at ſome future day, at ſuch court or at ſome adjournment; and in caſe he ſhall refuſe, or neglect to appear, or appearing ſhall refuſe or omit to take ſuch oath, the ſame being tendered, it ſhall be lawful for the ſaid, or any ſubſequent court of quarter-ſeſſions, to impoſe another fine on ſuch valuator, not exceeding twenty pounds, nor leſs than five, to be levied and applied in manner aforeſaid, and ſo on, *toties quoties*, until ſuch valuator ſhall appear, and ſubmit to take the ſaid oath.

If proof on oath of being unfit, excuſed,

VII. *ſect.* 7. If it ſhall appear by good and ſufficient proof upon oath to the juſtices at any quarter-ſeſſions for the county of the city, or at any adjournment, that any of ſaid valuators by age, infirmities, or failure in circumſtances, is rendered unfit to execute the ſaid office of valuator, it ſhall be lawful for the perſon or perſons preſiding, to excuſe ſuch perſon from executing the ſaid office of valuator, and the juſtices ſhall certify to the mayor, ſheriffs, and common-council, that ſuch perſon hath been excuſed from ſerving the ſaid office of valuator, and the reaſon of ſuch excuſe, and the mayor, &c. ſhall thereupon by ſuch orders or order as aforeſaid appoint another valuator in the pariſh, and in the place of the valuator ſo excuſed, which valuator ſhall have the like power and authority with any of the other valuators before mentioned.

certified to mayor, &c. with the reaſon,

and another appointed.

Affirmation of quakers.

VIII. *ſect.* 8. If any perſon of the profeſſion of the people called quakers ſhall be appointed to be one of the ſaid valuators, the ſolemn affirmation of the ſaid perſon ſhall be taken in lieu of the aforeſaid oath; which affirmation ſuch court is hereby authorized to adminiſter.

Not taking on them the office and oath in 2 months, others appointed.

IX. *ſect.* 9. In caſe any of ſaid valuators ſhould not within two months after being appointed, take upon him or them the office, and take the aforeſaid oath or affirmation, it ſhall be lawful for the mayor, ſheriffs, and common-council aſſembled, or the majority, by ſuch orders or order to appoint other valuators, in the reſpective pariſhes in the places or place of ſuch as ſhall not take the ſaid oath or affirmation within the aforeſaid time, and ſuch valuators ſhall have like power and authority as the other valuators before mentioned.

X. *ſect.*

X. *ſect.* 10. None of ſaid valuators ſhall act until they ſhall take the ſaid oath or affirmation. — Not to act till oath or affirmation.

XI. *ſect.* 11. The ſaid juſtices, at any quarter-ſeſſions for the county of the city, or at any adjournment, ſhall have power, from time to time, to ſummons ſuch of ſaid valuators, as ſhall be ſo ſworn, or take ſuch affirmation, to appear before them in open court, and then and there to make inquiry in a ſummary way, by examination of ſuch valuators on oath, or on ſuch ſolemn affirmation, if the valuator be a quaker, (which oath or affirmation, the ſaid court is hereby authorized to adminiſter) or by examination of witneſſes, what progreſs ſuch valuators have made in making the ſaid valuations: and it ſhall be lawful for ſaid court, to impoſe any fine not exceeding twenty pounds, nor leſs than five pounds, on any one or more of the ſaid valuators ſo ſworn to value, or ſo having taken ſaid ſolemn affirmation to value as aforeſaid, who ſhall refuſe or neglect to appear purſuant to ſuch ſummons, or who appearing ſhall be found by ſaid court upon ſuch enquiry to have been negligent in attending to and making the ſaid valuation within as convenient time as ſuch valuation ought to or might have been done; the ſaid fines to be levied and applied in the ſame manner as the other fines herein before mentioned. — Valuators ſummoned to quarter ſeſſions, ſummary examination on oath as to progreſs made, on neglect fined not above 20l. nor under 5l. levied and applied as before.

XII. *ſect.* 12. The valuation of the ſaid ſeveral pariſhes in ſaid city and ſuburbs, by any ſeven or more of the ſaid valuators ſo appointed and ſworn, or having taken ſuch ſolemn affirmation, ſhall be good and valid to all intents and purpoſes whatſoever; notwithſtanding that ſome one or more of the valuators ſo to be appointed as aforeſaid, ſhall not be ſworn into the ſaid office, or have taken the aforeſaid ſolemn affirmation, to value at the time the ſaid ſeven or more of the ſaid valuators, who ſhall be ſo ſworn, or ſhall have ſo taken the ſaid ſolemn affirmation to value, ſhall have made and returned the ſaid valuation. — Valuation by 7, ſo appointed and ſworn good, tho' ſome one or more not ſworn or affirmed.

XIII. *ſect.* 13. Said valuation or valuations final and concluſive, ſave as herein before is excepted. — Valuations final.

XIV. *ſect.* 14. Said valuators ſhall paſs over and not include in the ſaid valuation, ſo to be returned by them, any cabbin or houſe in ſaid city or ſuburbs, which is or ſhall be under the yearly value of forty ſhillings, any thing in this act to the contrary in any wiſe notwithſtanding. — Houſes under 40s. yearly not valued.

XV. *ſect.* 15. All ſuch money, which ſhall be preſented to be raiſed by grand juries at the ſeveral aſſizes for the county of the city of Cork, as would according to the laws now in force be applotted and raiſed upon the inhabitants of ſaid city and ſuburbs, according to their ſubſtance or reputed circumſtances, ſhall, after the firſt of July next, be levied upon and paid by the tenants, owners, and occupiers of the houſes, out-houſes, offices, cellars, ſtables, yards, and linneys in ſaid city and ſuburbs, rateably, and in proportion to the valuations made in manner aforeſaid. — Preſentment levied and paid in proportion to valuations.

XVI. *ſect.* 16. The treaſurer of the county of ſaid city, ſhall with all convenient ſpeed after the end of every aſſizes for the county of ſaid city, or at the fartheſt within one calendar month, computed from the laſt day of each of the ſaid aſſizes, iſſue his warrants under hand and ſeal, directed to the ſeveral conſtables of the ſeveral pariſhes, quarters, and diſtricts in ſaid city and ſuburbs, for the collecting and levying ſuch part of the money preſented to be raiſed at the then next preceding aſſizes, as heretofore woud have been collected from and levied on the inhabitants of ſaid city and ſuburbs, according to their circumſtances, or reputed circumſtances; and in ſaid reſpective warrants ſhall be mentioned the proportion of ſaid money that each of the ſaid tenants, occupiers, or owners ſhall be liable to for his dwelling-houſe or houſes, out-houſes, offices, cellars, ſtables, linneys, and yards; and the ſaid conſtables are hereby impowered, authorized, and required to receive from — Treaſurer in a month from laſt day of aſſizes to iſſue warrants to conſtables to collect preſentments, mentioning the proportion,

from the tenants, occupiers, or owners, the ſums proportioned in the ſaid warrants on them reſpectively: and in caſe of non-payment for two days after demand made by ſaid conſtables, or any of them, on the reſpective tenants, occupiers, or owners for the payment of their reſpective proportions of ſaid money, it ſhall be lawful for ſaid conſtables reſpectively to enter into and upon the ſaid dwelling houſes, out-houſes, offices, cellars, ſtables, linneys, and yards reſpectively, and diſtrain any goods or chattles, that may be found upon the ſame, for the proportion of the ſaid money ſo charged on them reſpectively; and the diſtreſs or diſtreſſes ſo taken (if not redeemed in two days from the day of diſtraining, with the payment alſo of an Engliſh ſhilling for the trouble of ſuch diſtraining) to ſell by publick cant for payment of ſaid money, for which ſuch diſtreſs or diſtreſſes ſhall be ſo taken, together with one ſhilling for the trouble of ſuch diſtraining, rendering the overplus (if any) to the owner or owners; and in caſe no ſufficient diſtreſs can be ſo had or found, or in caſe the premiſſes, liable ſo to be diſtrained, ſhall be kept locked or faſtened, ſo as that the conſtables ſhall be prevented from entering and diſtraining, it ſhall be lawful for the treaſurer to ſummon the tenants, occupiers, or owners, to appear before the mayor, or any of the aldermen of the ward of the ſaid city, for the payment of the money ſo charged on the ſaid premiſſes ſo locked or faſtened up; and in caſe of non-appearance of the parties ſo ſummoned, and proof by oath or affidavit before the ſaid mayor or alderman reſpectively of ſuch parties having been ſummoned, (which oath or affidavit the ſaid mayor and alderman are hereby reſpectively authorized to adminiſter) or in caſe of the appearance of ſuch parties, and refuſing to pay the money ſo due on the premiſſes ſo guarded, locked, or faſtened up, and to which ſuch party or parties ſhall be tenants, occupiers, or owners, together with four pence for the coſts of ſuch ſummons, it ſhall be lawful for ſaid mayor, or alderman of the ward, who granted ſaid ſummons, to iſſue a warrant under hand and ſeal, in the nature of an execution, directed to the conſtables of the county of the ſaid city, or any one or more, or to ſome ſpecial conſtable appointed for that purpoſe, to levy of the goods and chattles of the parties ſo ſummoned, their proportion of the ſaid money, together with the ſum of ten pence for coſt of ſaid ſummons and warrant, and the further ſum of one Engliſh ſhilling for the conſtable's trouble for levying ſaid money; and the ſaid money ſo levied ſhall be paid immediately on the levying to the ſaid treaſurer by the conſtable, who ſhall levy the ſame, together with ſaid ten pence, and the ſaid treaſurer ſhall pay over ſaid ten pence to ſaid mayor, or alderman, that ſhall have iſſued ſaid ſummons and warrant.

on non-payment 2 days after demand conſtables may enter and diſtrain, and ſell if not redeemed in 2 days,

If no ſufficient diſtreſs, or locked or faſtened, ſummons by treaſurer before mayor or any of the aldermen of the ward,

on default or refuſal warrant to conſtables or a ſpecial conſtable to levy,

10d. coſt, 1s. Engliſh for levying,

XVII. *ſect.* 17. No owner liable to be ſo ſummoned, or to pay any part of ſaid money, when there is an actual yearly tenant in poſſeſſion of the premiſſes, out of which the ſaid money is refuſed or neglected to be paid.

No owner liable, where yearly tenant in poſſion,

XVIII. *ſect.* 18. Nothing herein contained ſhall be conſtrued, deemed, or taken to exempt the lands in the north and ſouth liberties of the city of Cork from paying or being charged with their proportion of the money to be preſented to be raiſed at the ſeveral aſſizes, for the county of ſaid city, but ſaid lands ſhall pay and be charged with their proportion of ſuch money, in ſuch manner, and according to ſuch rate and computation as heretofore; any thing in this act to the contrary notwithſtanding.

Lands in north and ſouth liberties charged as heretofore.

XIX. *ſect.* 19. And whereas the lands in ſaid north liberties of the city, are compriſed in the county books, by the plow-land, half-plowland, and quarter-plow-land, with particular appellations to each: and whereas the conſtables are often obliged to diſtrain ſome one particular denomination of each, for the intire acreable tax or charge impoſed, the perſon or perſons, who ſhall be diſtrained for, and ſhall pay the whole of ſuch tax or charge ſo impoſed on the ſaid plow-land, half-

Perſons diſtrained for the whole tax on plowland &c. ſhall recover dividend from the reſt by civil bill, if above 40s. or before mayor or alder-

plow-

plow-land, or quarter plow-land, ſhall be intitled to receive from the other tenants, or occupiers, his, her, or their dividend of the ſaid acreable tax or charge, according to the number of the ſtatute acres that he, ſhe, or they ſhall hold, poſſeſs, or enjoy, and ſhall recover the ſame from ſuch perſon or perſons, in caſe of refuſal of payment, by civil bill, at the aſſizes for the county of ſaid city, if above forty ſhillings, or before the mayor, or one of the aldermen of the ward, if under forty ſhillings, according to the ſummary juriſdiction eſtabliſhed by act of parliament in the ſaid city, together with reaſonable coſts of ſuit.

man if under, with coſts.

XX. *ſect.* 20. The treaſurer of the county of ſaid city, may, after the firſt of July next, receive a ſalary not exceeding eighty pounds a year, inſtead of the preſent ſalary of forty; and the grand jury of each of the ſaid aſſizes for the county of ſaid city, after ſaid firſt of July next, may preſent a ſum not exceeding forty pounds, to be raiſed and paid to the treaſurer of the county of ſaid city, in full for his half year's ſalary due at ſuch aſſizes.

80l. a year to treaſurer,

preſented half yearly.

XXI. *ſect.* 21. After the firſt of July next, it ſhall be lawful for the mayor, ſheriffs, and common council of the city of Cork, to aſſemble at the council chamber of ſaid city, from time to time, and at ſuch times as they think proper, and to aſcertain and fix on the number and kind of lamps neceſſary for ſaid city and ſuburbs, and the places where the ſame ſhall be erected, and the manner of erecting, and the time when and how long ſaid lamps ſhall be and continue lighted, and the manner of lighting, cleanſing, trimming, ſnuffing, maintaining, and repairing the ſame, together with the amount of the ſums to be expended in the erecting, lighting, cleanſing, trimming, ſnuffing, maintaining, and repairing each of ſaid lamps, and from time to time, to agree with and appoint any perſon or perſons to be lamp contractors for erecting, lighting, cleaſing, trimming, ſnuffing, repairing, and maintaining lamps in ſaid city and ſuburbs, for one year, or any number not exceeding three years; and the perſons ſo appointed ſhall, before they enter upon the execution of ſaid office, give ſecurity by bond, conditioned in ſuch ſum as to the ſaid mayor, ſheriffs, and common council, or the majority of them, ſhall ſeem reaſonable, and payable to the mayor, ſheriffs, and commonalty of the ſaid city of Cork, with two ſufficient ſecurities for the due and faithful execution of their offices; and it ſhall be lawful for ſaid mayor, &c. to conſtitute, nominate, and appoint, by order or orders under hands and ſeals, ſuch lamp contractors, to collect and receive the money ſo aſcertained, for the erecting, cleanſing, trimming, ſnuffing, maintaining and repairing ſaid lamps yearly, and ſaid lamp contractors ſhall collect and receive the ſame half yearly from the ſeveral tenants, occupiers, or owners of the ſeveral dwelling-houſes, out-houſes, offices, cellars, ſtables, linneys, and yards, in ſaid city and ſuburbs, according to the ſeveral valuations aforeſaid, by a poundage on ſaid valuations, that is to ſay, that the annual ſums to be aſcertained by ſaid mayor, ſheriffs, and common council, or the majority of them, for erecting, lighting, and repairing ſaid lamps, ſhall be levied upon, and paid half yearly, by the tenants, owners, and occupiers, rateably, and in proportion to the valuations to be made in manner aforeſaid, and in caſe of non-payment for two days after demand by ſaid lamp contractors, on the tenants, occupiers or owners, for the payment of their reſpective proportions of ſaid lamp money, it ſhall be lawful for ſaid lamp contractors, or any of them, or for the bailiff of them, or any of them, appointed for that purpoſe, under hands and ſeals of ſuch lamp contractors (if more than one) to enter into and upon the ſaid dwelling-houſes, out-houſes, offices, cellars, ſtables, linneys, and yards reſpectively, and to diſtrain any goods or chattles which may be found upon the ſame for the proportion of the ſaid lamp money ſo charged on them repectively; and the diſtreſſes ſo tak-

Mayor, &c. in council chamber to aſcertain number, and kind, of lamps and manner of lighting, &c. and ſums to be expended.

and agree with contractors for a year or not above 3.

on bond with 2 ſureties,

to collect the money,

half yearly,

by poundage on ſaid valuations,

rateably,

on nonpayment 2 days after demand, to enter and diſtrain,

and ſell if not redeemed in 2 days,

en, if not redeemed within two days from the day of diſtraining, with the payment of one ſhilling Engliſh for the trouble of ſuch diſtraining, to ſell by publick cant for the payment of ſaid lamp money, for which ſuch diſtreſſes ſhall be ſo taken, together with one Engliſh ſhilling for the trouble of ſuch diſtraining, rendering the overplus, if any, to the owners; and in caſe no ſufficient diſtreſs can be had or found, or the premiſſes ſhall be kept locked or faſtened up, ſo as that ſaid lamp contractors, or any of them, or the bailiff of them, or any of them, ſhall be prevented from entering and diſtraining, it ſhall be lawful for the ſaid lamp contractors to ſummon the tenant, occupier, or owner, to appear before the mayor, or any one of the aldermen of the ward for the payment of the lamp money ſo charged, and in caſe of non-appearance of the party ſummoned, and proof by oath or affidavit before ſaid mayor or aldermen reſpectively, of having been ſummoned, (which oath or affidavit the ſaid mayor or alderman are hereby reſpectively authorized to adminiſter and take) or in caſe of the appearance of ſuch party, and refuſal to pay the lamp money ſo due on the premiſſes ſo locked or faſtened up, to which ſuch party ſhall be tenant, occupier, or owner, together with four pence for the coſt of ſuch ſummons, that it ſhall be lawful for the ſaid mayor, or ſuch alderman, who granted ſaid ſummons, to iſſue a warrant under hand and ſeal, in the nature of an execution, directed to the conſtables of the county of ſaid city, or any one of them, or to ſome ſpecial conſtable appointed for that purpoſe, to levy of the goods and chattles of the party, ſo ſummoned, his or her proportion of ſaid lamp money, together with ten pence for coſts of ſaid ſummons and warrant, and the further ſum of one Engliſh ſhilling for the conſtable or ſpecial conſtable's trouble for levying ſaid lamp money; and the ſaid lamp money ſo levied ſhall be paid immediately on the levying, to ſaid lamp contractors by the conſtable or ſpecial conſtable, who ſhall levy together with ſaid ten pence coſts; and lamp contractors ſhall pay over ſaid ten pence to the ſaid mayor or alderman, that ſhall have iſſued ſaid ſummons and warrant.

if no ſufficient diſtreſs, or locked or faſtened, ſummoned before mayor or alderman,

on default or refuſal warrant to conſtables to levy,

10d coſts. 1s. Engliſh for conſtable,

paid to contractors.

XXII. *ſect.* 22. No owner liable to be ſo ſummoned, or to pay any part of ſaid lamp money, when there is an actual tenant in poſſeſſion of the premiſſes, out of which ſaid lamp money is refuſed or neglected to be paid.

No owner liable when an actual tenant in poſſeſſion.

XXIII. *ſect.* 23. It ſhall be lawful for the mayor, ſheriffs, and common-council of ſaid city, or the majority, as often as any perſons, with whom they agree and appoint to erect, light, ſnuff, cleanſe, trim, maintain, and repair the ſaid lamps, ſhall be guilty of any neglect or miſbehaviour in execution of their offices, upon proof thereof in a ſummary way by oath of one witneſs, (which oath ſaid mayor is hereby authorized to adminiſter) or by confeſſion of the party to remove from their reſpective offices, and in their ſtead, from time to time to appoint any other, lamp contractor or contractors for one year, or any number of years, not exceeding three, taking ſuch ſecurity as aforeſaid; and ſuch perſon or perſons ſo to be agreed with and appointed, may and ſhall have and receive the ſeveral ſums, payable as lamp-money as aforeſaid, with like ſeveral powers of diſtraining, receiving, and recovering the ſame, which are herein before mentioned; and ſaid mayor, ſheriffs, and common-council, or the majority, ſhall have like power of appointing ſuch perſon or perſons to collect and receive as aforeſaid, and alſo like power of removing, and ſubſtituting others in their ſtead and place.

Contractors removed on oath of 1 witneſs of neglect or miſbehaviour,

others appointed for 1 year or not above 3,

with like powers,

XXIV. *ſect.* 24. If any perſons, whom the mayor, &c. ſhall agree with and appoint to erect, light, ſnuff, cleanſe, trim, maintain, and repair ſaid lamps, ſhall neglect to ſupply ſaid lamps, or any of them, with a ſufficient quantity of good and proper wick or oil to continue lighting for ſuch time as ſaid mayor, ſheriffs, and common-council, or the majority, ſhall fix on, or neglect to keep the glaſſes of ſaid lamps, or any of them, clean and intire, or ſhall be guilty of any other neglect,

Lamp contractors on neglect, forfeit 5s.

for

for which the mayor, &c. may not think proper or ſufficient to remove ſuch lamp-contractors from their offices, ſuch perſons ſo offending ſhall forfeit for every ſuch neglect five Engliſh ſhillings, to be recovered and levied by diſtreſs and ſale of ſuch offender's goods and chattles, after conviction in a ſummary way before the mayor or other juſtice of the peace of ſaid city, by the oath of one witneſs (which oath ſaid mayor or other juſtice are hereby authorized to adminiſter) or by confeſſion of the party accuſed, and to be applied in manner herein after directed; and if any perſons wilfully or maliciouſly break, throw down, or extinguiſh any lamp to be ſet up to light the ſtreets, lanes, or paſſages, or quays of ſaid city, or ſuburbs, or wilfully damage the poſts, irons, or other furniture, it ſhall be lawful for any perſon to arreſt and detain ſuch offender, until they may be carried before the mayor, or ſome other juſtice for ſaid city; and every perſon ſo offending, and being thereof convicted in a ſummary way by the oath of one witneſs, or confeſſion of the party accuſed, before the mayor, or any juſtice for ſaid city (which oath ſaid mayor or juſtice are hereby authorized to adminiſter) ſhall for ſuch offence forfeit forty ſhillings for each lamp poſt, iron, or furniture thereof, ſo broken, thrown down, extinguiſhed, or wilfully damaged, to be recovered and levied by diſtreſs and ſale of offender's goods, as aforeſaid, and applied in manner herein after mentioned; and in caſe no goods or chattles of the perſons ſo offending can at the time of ſuch conviction be found, it ſhall be lawful for ſaid mayor or juſtice, before whom ſuch offender convicted, to commit to the houſe of correction, kept to hard labour not leſs than one month, and not exceeding three months.

on conviction before mayor or a juſtice on oath of one witneſs;

breaking lamps, &c. detained by any perſon 'till brought before mayor or juſtice.

forfeit 40s.

if no diſtreſs, committed not leſs than one nor above three months.

XXV. *ſect.* 25. If ſuch penalty or forfeiture paid before the time of ſuch commitment be expired, ſuch offender ſhall upon ſuch payment be immediately diſcharged; and ſaid penalty of five Engliſh ſhillings, hereby impoſed on ſaid lamp contractors, or any of them, and ſaid penalty of forty ſhillings on any perſons, for wilfully or maliciouſly breaking, throwing down, or extinguiſhing any lamp erected in ſaid city or ſuburbs, or for wilfully damaging the poſts, irons, or other furniture, or any of them, ſhall be paid and applied in the manner following, one moiety to the perſons who ſhall diſcover and proſecute ſuch offenders to conviction, and the other to the governors of the workhouſe of ſaid city, for uſe of ſaid workhouſe, firſt deducting the expences of repairing ſuch poſt, iron, or their furniture; and if any perſons ſhall ſteal or forcibly carry away any of ſaid lamps, iron, poſts, or furniture, being lawfully convicted thereof upon indictment, adjudged guilty of felony, and tranſported to one of his majeſty's plantations in America for ſeven years, or publickly whipped, at the diſcretion of the judge who ſhall paſs judgment on ſuch offenders.

Diſcharged on payment;

penalties to proſecutor and the workhouſe;

ſtealing or forcing away, felony, tranſportation 7 years,

or whipped.

XXVI. *ſect.* 26. The mayor, ſheriffs, and common council of the ſaid city, or majority of them, ſhall cauſe one thouſand and ſixteen pounds ten ſhillings and three pence to be added in eight equal yearly ſucceſſive diviſions to the firſt eight yearly ſucceſſive ſums of money, that ſhall be aſcertained and directed, after the paſſing of this act, by the ſaid mayor, &c. to be raiſed in manner before mentioned for the erecting, trimming, ſnuffing, cleanſing, repairing, and maintaining the lamps of ſaid city and ſuburbs; and the ſame ſhall be chargeable and paid by the aforeſaid occupiers, tenants, and owners, in the proportion, and according to the method herein before mentioned for the raiſing and paying the ſaid annual lamp money, along with and at the time of the payment of ſaid lamp money for the firſt eight ſucceſſive years, that ſaid lamp money ſhall be raiſed, after the paſſing this act, with the like remedies for recovery, in caſe of non-payment thereof, as herein before mentioned with reſpect to ſaid lamp-money; and the ſame lamp contractors ſhall collect and receive the ſame as before mentioned with reſpect to ſaid

1016l. 10s. 3d. not raiſed purſuant to 5 G. 3. c. 24. ſ. 5. ſhall be added in 8 yearly ſucceſſive diviſions;

chargeable with lamp-money,

and paid to chamberlain for uſe of mayor, &c.

lamp money; and ſhall pay over to the chamberlain of ſaid city for uſe of ſaid mayor, ſheriffs, and commonality, the ſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence, as, and when he or they ſhall receive the ſame, under the ſaid eight annual diviſions thereof reſpectively; and all and ſingular the lamps, irons, poſts, and other furniture thereunto belonging, now in poſſeſſion of ſaid mayor, &c. and which were purchaſed with part of ſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence, ſhall go in aid of the execution of ſuch part of this act, as relates to lighting the ſaid city and ſuburbs thereof without any ſum or ſums of money being levied or raiſed for the value or purchaſe thereof, ſave the aforeſaid ſum of one thouſand and ſixteen pounds ten ſhillings and three pence.

Watchmen appointed in veſtries,

XXVII. *ſect.* 27. It ſhall be lawful for the miniſter, church wardens, and pariſhioners of the ſeveral pariſhes in ſaid city and ſuburbs, and which are herein before mentioned, at their reſpective veſtries held after the firſt of July next, from time to time, to appoint a ſufficient number of able watchmen to keep watch in each of ſaid reſpective pariſhes, and to appoint the times of watch in ſaid pariſhes reſpectively, and proper ſalaries or wages for ſuch watchmen, and proper watch houſes in each of ſaid pariſhes, and neceſſary fire and candle light, and other neceſſary articles for ſuch watch houſes, and watch cloaks, lanthorns, and ſtaves or pikes for ſuch watchmen, and annual overſeers of ſuch watches, to ſee that the ſame are duly kept, and to puniſh by ſmall fines or ſhort impriſonments ſuch of the ſaid watchmen as ſhall miſbehave, and to appoint others in the room; and it ſhall be lawful for the ſaid watchmen, or any of them, to apprehend all ſuch idle and diſorderly perſons, as they ſhall find in the night time making any affray, or committing any breach of peace in ſaid city and ſuburbs, or any part thereof, at late and unſeaſonable hours of the night; and ſuch perſons, to detain priſoners in the reſpective watch houſes of the ſaid pariſhes; and ſuch watchmen or watchman ſhall in the morning after the apprehending ſuch idle, diſorderly, or ſtrolling perſon or perſons, carry or convey before the mayor, or ſome one of the juſtices of ſaid city, to be examined and dealt with according to law.

Salaries and neceſſaries,

puniſhed by ſmall fines and ſhort impriſonment,

and others appointed;

to apprehend by night for affrays or breach of peace,

and impriſon in watch houſes;

carried in the morning before mayor or a juſtice.

Rent and expences charged in veſtries on inhabitants by valuation as for lamp-money;

XXVIII. *ſect.* 28. The rent of ſuch watch houſes, and the expences of ſuch fire, candles, watch cloaks, lanthorns, ſtaves, and pikes, or other neceſſary articles aforeſaid, and all the expences, coſts, and charges that ſhall attend the appointment and continuing of a proper watch in each of ſaid pariſhes; as well as all other money uſually raiſed at veſtries for ſaid ſeveral pariſhes, for the repair of churches, pariſh clerks, and other pariſh officers ſalaries, and other pariſh charges, ſhall by the miniſters, church wardens, and pariſhioners, at the reſpective veſtries after the firſt of July next, be charged upon and paid by the reſpective inhabitants of each of ſaid pariſhes by a proportionable poundage according to the before mentioned valuation of ſaid ſeveral dwelling houſes, out houſes, offices, cellars, ſtables, linneys, and yards in each of ſaid pariſhes, as before ſet forth with reſpect to ſaid lamp money; and church wardens of ſaid ſeveral pariſhes, ſhall receive and recover from the inhabitants of the ſaid pariſhes the money, ſo to be appointed by ſaid veſtries, in the ſame manner, and by ſuch remedies, as pariſh rates, appointed by the veſtries of ſaid pariſhes to be raiſed and paid, are now by law to be recovered.

recovered by churchwardens as pariſh rates.

Deficiencies preſented by grand jury.

XXIX. *ſect.* 29. The grand jury at any aſſizes for ſaid city, after the firſt of July next, ſhall upon due proof of deficiency in any publick money preſented to be raiſed by the grand jury, at the then next preceding aſſizes, preſent ſuch deficiency to be raiſed along with the money by them to be preſented and raiſed at ſaid ſucceeding aſſizes.

XXX. *ſect.*

XXX. *ſect.* 30. Nothing herein ſhall be conſtrued, deemed, or taken to exempt ſaid conſtables, or high conſtable, or any of them, or their heirs, executors, or adminiſtrators from the payment or recovery of any publick money, that ſuch conſtable or highconſtables ſhall have received, and not paid to the treaſurer of the county of ſaid city, but ſaid treaſurer ſhall upon recovery of ſuch money according to the laws now in force from ſuch conſtables, their heirs, executors, or adminiſtrators, give credit for the ſame in the books of the county of ſaid city kept by him; and ſuch ſums, as ſhall be ſo recovered and received by ſaid treaſurer, ſhall be preſented by the reſpective grand juries, at the aſſizes for county of ſaid city, in aid of the publick money that ſhall be preſented to be raiſed by ſaid grand-juries at each of ſaid aſſizes.

Conſtables not exempt from payment of ſums received,

recovered by treaſurer,

preſented in aid of publick money.

XXXI. *ſect.* 31. The mayor, ſheriffs, and common council of ſaid city, or the majority, upon due proof made for deficiency, by oath of ſaid lamp contractors, or any of them (which oath ſaid mayor is authorized to adminiſter) ſhall add ſuch deficiency to the money to be appointed by ſaid mayor, &c. for the erecting, lighting, trimming, ſnuffing, cleanſing, repairing, and maintaining the lamps of ſaid city and ſuburbs, for the enſuing year; and ſuch deficiency ſhall be deemed and taken as part of ſuch money ſo to be appointed, and collected, received, and recovered therewith.

Deficiencies of lamp-money added to the money appointed.

XXXII. *ſect.* 32. And whereas the like deficiency may happen in the money appointed for watch money, and other purpoſes before mentioned; ſuch deficiency being duly proved by oath of church wardens, or one of them, in each pariſh (which oath the miniſters of the ſaid reſpective pariſhes are authorized to adminiſter) the ſaid deficiency ſhall by the miniſter, church wardens, and pariſhioners, at their reſpective veſtries, be added to the next rate to be made at ſuch veſtries for ſuch watch money, and other purpoſes aforeſaid; and the ſum ſo added for ſaid deficiency, ſhall be deemed and taken as part of ſuch rate, and collected, received, and recovered therewith.

Deficiencies of watch money, &c. added to next rate.

XXXIII. *ſect.* 33. It ſhall be lawful for each of the market-jury to execute the office to all intents and purpoſes as fully and effectually, as any three or more of the ſaid market-jury might or could do by virtue of the recited act of parliament.

Each of the market jury may execute the office as 3 by 5 G. 3. c. 24. ſ. 15.

XXXIV. *ſect.* 34. The recorder, or deputy-recorder of ſaid city, being a barriſter, ſhall after the firſt of July next, have full power and authority to hold the court of record in abſence of the mayor and ſheriffs of ſaid city, or any of them, as fully and effectually, to all intents and purpoſes, as if held before ſaid mayor and ſheriffs; and that all acts done in ſaid court of record, before ſaid recorder or deputy, ſhall be deemed and taken, as if done before ſaid mayor and ſheriffs in ſaid court of record.

Recorder or deputy, a barriſter, may hold court of record in abſence of mayor and ſheriffs.

XXXV. *ſect.* 35. It ſhall be lawful for the mayor and ſheriffs of ſaid city, and recorder or deputy, as they happen reſpectively to preſide in ſaid court of record, to adjourn ſaid court from day to day, or to ſuch day or days as they ſhall reſpectively ſee expedient, for the diſpatch of the buſineſs of ſaid court of record, any cuſtom, law, or uſage to the contrary in any wiſe notwithſtanding.

May be adjourned from day to day.

XXXVI. *ſect.* 36. After the firſt of July next, it ſhall be lawful for the mayor and ſheriffs, and for the recorder, or deputy, as they or any of them happen to preſide in the ſaid court of record, to impoſe a fine not exceeding five pounds on any juror or witneſs, that ſhall be legally ſummoned to attend ſaid court, and ſhall refuſe or neglect to appear purſuant to the ſaid ſummons, and for whom no ſufficient excuſe laid before the court: and to iſſue proceſs from time to time, in the nature of an execution, directed to the ſerjeants at mace, or any of them (who are the officers and miniſters of the ſaid court of record) to levy the ſaid fine off the goods and chattles

Juror or witneſs not attending on ſummons, without ſufficient excuſe, fined 5*l.*

proceſs to levy.

to the workhouse, ſerjeants fee 2s. 6d.

chattles of ſuch juror or witneſs, and the ſame, when levied, to pay over to the governors of the workhouſe of ſaid city, for uſe of ſaid workhouſe, deducting thereout the ſum of two ſhillings and ſixpence for the trouble of ſaid ſerjeants at mace, or of ſuch of them as ſhall execute ſaid proceſs.

Proceeding by attachment.

XXXVII. *ſect.* 37. The cuſtom of proceeding in ſaid court of record by attachment, is hereby confirmed and eſtabliſhed.

Recorder or deputy may hold and preſide at quarter ſeſſions.

XXXVIII. *ſect.* 38. The recorder of ſaid city, or the deputy, being a barriſter at law, ſhall, after the firſt of July next, have full power and authority to hold the general quarter-ſeſſion of the peace for ſaid city, and county of the city, and to preſide thereat, or at any adjournment thereof, as fully and effectually to all intents and purpoſes whatſoever, as if the ſame were held before the ſaid mayor or recorder, and any two of the juſtices of the peace of ſaid city.

Not to prevent the mayor and juſtices.

XXXIX. *ſect.* 39. Nothing herein ſhall be deemed, conſtrued, or taken to prevent or hinder the mayor and juſtices of the peace of ſaid city from attending at ſaid court of quarter-ſeſſions of the peace, or at any adjournment, or from doing their duty as fully and effectually to all intents and purpoſes, as they or any of them might or could do before the making of this act.

Summoning artificers to meet and fix price of labour, adminiſtering oaths, delivering tokens, &c. the mayor or one juſtice may on oath of one witneſs commit to gaol not above 6 months, and order to be whipped, and recognizance not exceeding 40l. for behaviour 7 years.

XL. *ſect.* 40. If any perſons not lawfully authorized, ſhall ſummon, or cauſe to be ſummoned, by writing or otherwiſe, any manufacturer, artificer, journeyman, apprentice, or labourer, uſually employed in any branch of any trade, manufacture, or buſineſs, carried on within the city of Cork, or county of ſaid city, to appear at any meeting or aſſembly to conſult upon or enter into any rule, agreement, aſſociation, or combination, to aſcertain or fix the price of labour or workmanſhip, or to make any rule, order, or regulation, in any wiſe reſpecting any ſuch trade, manufacture, or buſineſs, or the perſons employed or to be employed therein; or ſhall adminiſter, or cauſe to be adminiſtered, any oath or declaration to any ſuch manufacturer, &c. tending to fix the price or wages of labour or workmanſhip, or tending to fix upon or make any rule, order, agreement, or regulation reſpecting ſuch trade, manufacture, or buſineſs, or the perſons employed or to be employed therein; or ſhall iſſue or cauſe to be iſſued, deliver or cauſe to be delivered, any ticket, certificate, or token (other than and except ſuch ticket or certificate as ſhall or may be delivered by, or by order of the corporation whereof ſuch manufacturer, &c. is or ſhall be a member to any ſuch manufacturer, &c. of his being licenſed to work at his or their reſpective trade or trades) or ſhall make or join in making any rule, order, or agreement, or regulation relating to the prices or wages of labour or workmanſhip, or in any particular relating to any part or branch of any ſuch trade, manufacture, or buſineſs, or deliver, or cauſe to be delivered to any perſon whatſoever, any ticket, token, printed advertiſement, or writing, containing any rule, regulation, or agreement entered into by any artificer, journeyman, or labourer, in reſpect, touching, or concerning any ſuch trade, manufacture, or buſineſs, or ſhall by force, menaces, or otherwiſe hinder or attempt to hinder any ſuch manufacturer, &c. from working at his or their reſpective trade, or at ſuch prices as ſhall be aſcertained, in ſuch manner as is herein ſet forth, with his or their reſpective employers or maſters, or at ſuch particular work as ſuch employers or maſters ſhall direct in their reſpective trades or callings, upon notice or intelligence thereof being given to the mayor, or any one juſtice for ſaid city, it ſhall be lawful for the ſaid mayor or ſuch one juſtice reſpectively to iſſue his warrant under his hand and ſeal to apprehend the perſons charged with all or any one of the aforeſaid offences; and every ſuch perſon being thereof convicted in a ſummary way, before the mayor, or any one juſtice, by the oath of one or more credible witneſſes (which oath the ſaid mayor, or juſtice is hereby impowered and required to adminiſter) or by the confeſſion

feſſion of the perſon charged with ſuch offence, it ſhall be lawful for ſaid mayor, or juſtice, by warrant under hand and ſeal, to commit the perſons ſo convicted to gaol, there to be kept without bail or mainprize for any time not exceeding ſix months; and to order the perſons ſo convicted to be publickly whipped on the next ſucceeding Saturday after ſuch conviction, and alſo to be whipped a ſecond and third time on the then next ſucceeding Saturdays, if ſaid mayor, or juſtice ſhall think proper to order, that ſuch perſon ſhall be whipped more than once, at ſome public place, or through ſuch public ſtreets or lanes within ſaid city, or county of ſaid city, as ſaid mayor, or juſtice ſhall in his diſcretion direct; and every ſuch perſon ſhall, before diſcharged from ſuch confinement, enter into and be bound in a recognizance in a ſum not exceeding forty pounds before the mayor or any other juſtice of ſaid city, with or without ſureties for ſuch perſons being of the good behaviour, and keeping the peace to all ſubjects, for any term not exceeding ſeven years.

XLI. *ſect.* 41. If any ſuch manufacturer, artificer, journeyman, apprentice, or labourer, ſhall take an oath, or enter into any combination or agreement to aſcertain or fix the price of wages or labour, or workmanſhip, or to make any rule, order, agreement, or regulation, reſpecting their reſpective trades, manufacture, or buſineſs, or under any pretence whatſoever not to work for any particular maſter or employers, upon notice or intelligence thereof, though not upon oath being given to ſaid mayor, or any one juſtice for ſaid city, it ſhall be lawful for ſaid mayor, or juſtice reſpectively to iſſue his warrant under hand and ſeal to apprehend the perſon charged with all or any of ſaid offences; and every ſuch perſon being convicted in a ſummary way before ſaid mayor, or any juſtice, upon the oath of one or more credible witneſſes (which oath the mayor or juſtice is impowered and required to adminiſter) or by confeſſion, it ſhall be lawful for ſaid mayor, or juſtice by warrant under hand and ſeal to commit to gaol, there kept without bail or mainprize for any time not exceeding ſix months, and alſo to order the perſon to be publickly whipped once, or oftner at his diſcretion, as aforeſaid, at ſome public place, or through ſuch public ſtreets or lanes within ſaid city or county of ſaid city; and every ſuch perſon ſhall, before diſcharged from ſuch confinement, enter into and be bound in a recognizance, not exceeding forty pounds, before ſaid mayor, or other juſtice, with or without ſureties for being of good behaviour, and keeping the peace to all ſubjects, for any term not exceeding ſeven years.

*Artificers, &c. taking oath or combining to fix price of labour, or make rules, &c. or not to work for particular maſter, on notice (tho' not on oath) apprehended;*

*on conviction before mayor or one juſtice on oath of one witneſs imprisoned not above 6 months, and whipped, bound in recognizance 40l.*

XLII. *ſect.* 42. If any manufacturer, artificer, journeyman, or labourer uſually employed in any trade or manufacture within the city or county of the city of Cork, not having any other viſible livelihood beſides the trade, buſineſs, occupation or calling to which he ſhall belong, and not being in the actual ſervice of any maſter or employer, on application made to him by any maſter or employer, in the trade or buſineſs to which ſuch manufacturer, &c. belong, refuſe or neglect ſeven days after ſuch application to work with the perſon making application at the prices herein after aſcertained, or in caſe any ſuch manufacturer, &c. being engaged with any maſter or employer in any ſuch buſineſs, ſhall after ſuch engagement, and during the time of which he ſhall be ſo engaged, refuſe to work, or not work on being required in or at any particular branch of the buſineſs, he ſhall be ſo engaged for, and in ſuch uſual and reaſonable manner as his maſter or employer ſhall direct, every ſuch perſon ſo offending, and convicted in a ſummary way before ſaid mayor, or one juſtice, by the oath of the perſon making ſuch application, or of any other witneſs or witneſſes (which oath ſuch mayor or juſtice is hereby authorized to adminiſter) or by confeſſion of the perſon charged with ſuch refuſal, without ſufficient cauſe, upon oath, to the ſatisfaction of ſuch mayor or juſtice, for ſuch refuſal, it ſhall be lawful for ſuch mayor or

*Artificers, &c. refuſing application 7 days, having no other calling or ſervice, or not working after engagement, committed 3 months, and whipped, and 40l. recognizance.*

or juſtice by warrant under hand and ſeal to commit to gaol, there to be kept without bail or mainprize not exceeding three months, and alſo to order, to be once or oftner, as aforeſaid, at the diſcretion of ſaid mayor or juſtices, publickly whipped; and every ſuch perſon ſhall, before diſcharged from ſuch confinement, enter into and be bound in a recognizance, not exceeding forty pounds, before the mayor or other juſtice, with or without ſureties for being of the good behaviour, and keeping the peace to all ſubjects, not exceeding ſeven years.

Wages ſettled at Eaſter ſeſſions, recorder preſent,

XLIII. *ſect.* 43. It ſhall be lawful for the court of general quarter ſeſſions of the peace for ſaid city, and county of ſaid city, the recorder or deputy being preſent, yearly at every Eaſter ſeſſions to aſcertain what wages or ſum of money, every maſon, carpenter, ſlator, cooper, or other artificer, ſhall take, and be paid by the day, or by the certain denomination, piece, or parcel of work or job, either with or without meat and drink, during the year following; and all the ſaid artificers take and receive ſuch wages and ſums of money, and no more, on pain of forfeiting any ſum of money or thing they ſhall take to the contrary, one half to the governors of ſaid workhouſe, for uſe of ſaid workhouſe, and the other to the proſecutor, and to be impriſoned at diſcretion of ſaid court, not exceeding three months, upon conviction in a ſummary way at ſaid court, or any adjournment, by oath of one or more witneſſes, which oath ſaid court is authorized to adminiſter, or by confeſſion of the offender.

more taken forfeited to workhouſe and proſecutor, and impriſoned 3 months.

Wages not lower than uſual prices.

XLIV. *ſect.* 44. Said court ſhall not aſcertain the wages of ſuch artificers at a lower rate or ſum than the accuſtomed prices uſually paid in ſaid city to ſuch artificers reſpectively.

Wages paid, or double value,

XLV. *ſect.* 45. Every perſon, who ſhall employ ſaid artificers, or any of them, ſhall pay ſuch artificers reſpectively the wages and ſums of money, ſo aſcertained; and in default thereof, every artificer, from whom ſuch wages and ſums withheld, ſhall be intitled to recover double the value; to be recovered, if to the amount of forty ſhillings, or under, in a ſummary way in the court of conſcience in ſaid city, upon the oath or oaths of one or more witneſſes; and if above forty ſhillings by civil bill at next aſſizes for the county of ſaid city.

40s. or under in court of conſcience, above by civil bill.

Order certified concluſive evidence of wages.

XLVI. *ſect.* 46. The order of quarter-ſeſſions, certified by the town-clerk, ſhall be concluſive evidence of ſaid ſeveral rates and wages.

7 riotouſly aſſembling, and not diſperſing after reading this clauſe, or hindering the reading, or by force entering houſes, ſhips, &c.

XLVII. *ſect.* 47. In caſe any perſons, to the number of ſeven or more, not legally authorized, ſhall riotouſly and tumultuouſly aſſemble together within ſaid city, or county of ſaid city, and not diſperſe within one hour after reading this clauſe of this act, by the mayor or either of the ſheriffs, or any other juſtice of ſaid city; or in caſe any perſon or perſons ſhall hinder, or attempt to hinder, ſaid mayor, or either of the ſheriffs, or any one juſtice, from reading this clauſe, to the perſons ſo aſſembled; or in caſe any perſons, to the number of ſeven or more, ſo aſſembled, ſhall by force enter, or attempt to enter the dwelling-houſe, ware-houſe, ſhop, cellar, yard, loft, linney, or building of any inhabitant of ſaid city, or county of ſaid city, without conſent of poſſeſſor, and lawful authority, or ſhall by force enter, or attempt to enter any ſhip, lighter, boat, bark, or veſſel, lying at any of the quays of ſaid city, or at any other place in the river, or within the harbour of ſaid city, without lawful authority, being thereof convicted in a ſummary way, by oath of one or more witneſſes, before the mayor or any juſtice (which oath ſaid mayor, or any juſtice, are reſpectively impowered and required to adminiſter) or by confeſſion of the party, every perſon offending herein ſhall ſuffer impriſonment, not exceeding ſix months, without bail or mainprize, and be once or oftner, at diſcretion of ſaid mayor or juſtice, publickly whipped in manner before mentioned; and every ſuch perſon ſhall, before diſcharged from ſuch confinement, enter into and be bound in a recog-

Impriſoned 6 months and whipped, and 40 l. recogniſance.

nizance

nizance not exceeding forty pounds, before the mayor, or other juſtice, with or without ſureties for being of the good behaviour, and keeping the peace to all ſubjects, not exceeding ſeven years.

XLVIII. *ſect.* 48. After the firſt of July 1772, it ſhall be lawful for ſaid mayor, or any other juſtice of the county of the city, upon affidavit made before him, that it is ſuſpected there is or has been any combination or unlawful aſſembly in ſaid city or county thereof, to ſummon any perſon or perſons charged or ſuſpected with being concerned in ſuch unlawful aſſembly or combination, and to adminiſter an oath to ſuch, as ſuch mayor or juſtice in his diſcretion ſhall think fit; and every ſuch perſon ſhall ſwear to anſwer all ſuch queſtions, as ſhall be demanded of him, touching ſuch combinations or unlawful aſſemblies, and ſhall diſcover the names and places of abode, to the beſt of his, her, or their knowledge and belief of the ſeveral perſons who have acted or been concerned in any ſuch combination or unlawful aſſemblies, and ſhall anſwer all ſuch other queſtions concerning ſuch unlawful aſſemblies or combinations, as ſhall be propoſed by ſuch mayor or juſtice, and ſhall not, by any plea or demurrer, cover or conceal the ſame; and ſuch examination ſhall be reduced into writing, and ſigned by the mayor, or ſuch juſtice, before whom the ſame are taken, and by the party or parties ſo examined.

Summons on affidavit of ſuſpicion of unlawful aſſembly or combination,

and oath tendered;

diſcovery;

examination in writing and ſigned.

XLIX. *ſect.* 49. Such examination ſhall never afterwards upon any occaſion whatever be allowed to be given as evidence to charge the perſon ſo giving the ſame.

Not given in evidence after to charge the party.

L. *ſect.* 50. Such perſons ſo examined ſhall be bound by recognizance, not exceeding twenty pounds, to appear at ſuch time and place within ſaid city, as ſpecified in ſuch recognizance, and to proſecute before ſaid mayor or juſtice, in the ſummary manner before ſet forth, the perſon or perſons mentioned in ſuch examination to have been concerned in ſuch unlawful aſſemblies or combinations; and in caſe any ſuch perſons ſo ſummoned ſhall neglect or refuſe to appear before ſuch mayor or other juſtice purſuant to ſaid ſummons, or to take ſuch oaths as aforeſaid, or to give teſtimony, and be examined in manner aforeſaid, or to ſign ſuch examination, or to enter into ſuch recognizance, ſaid mayor or juſtice ſhall iſſue warrant or warrants, and cauſe ſuch perſons to be impriſoned in the city gaol not exceeding three months, or be ſent to bridewell or the houſe of correction, there kept to hard labour for one month; and in caſe ſuch perſons ſo examined ſhall neglect or refuſe to give teſtimony, at the time and place at which they ſhall be bound to appear, the mayor or juſtice ſhall reſpectively forthwith upon ſuch default or refuſal iſſue his warrant or warrants to apprehend and detain in execution in the city gaol of Cork, the body or bodies of the perſons making ſuch default, or refuſing to give, until they ſhall pay and ſatisfy the penalty of the reſpective recognizances, to be applied and paid over to the governors of the work-houſe, for uſe of the ſaid work-houſe.

20 l. recognizance to appear and proſecute;

on refuſal impriſoned not above three months, or bridewell one month;

refuſing teſtimony, detained 'till penalty ſatisfied,

to the work-houſe.

LI. *ſect.* 51. Upon any ſuch examination or affidavit being given or made, it ſhall be lawful for the ſaid mayor, or ſuch juſtice, to iſſue his warrant to apprehend each of the perſons accuſed, and to bind him in a recognizance of forty pounds, with or without ſureties, if not immediately proſecuted, to appear at ſuch time and place within ſaid city, as ſpecified in ſuch recognizance, to anſwer ſuch matters as ſhall be alledged againſt him in and by ſuch affidavit or examination; and in caſe the perſon ſo accuſed ſhall neglect or refuſe to appear at ſuch time and place, it ſhall be lawful for ſaid mayor or other juſtice to iſſue his warrant under hand and ſeal to apprehend and detain in execution in the city gaol, the body of the perſon ſo accuſed, and the bodies of his ſecurities, until he and the ſaid ſecurities ſhall pay and ſatisfy the penalties of their ſaid recognizance, to be applied and paid over to the governors of the work-houſe, for uſe of ſaid work-houſe; and in caſe the perſon ſo

On examination or affidavit, apprehended and bound in 40 l. recognizance to appear and anſwer;

on default impriſoned 'till payment,

for the work-houſe;

if no ſecurity, 'till complaint heard.

accuſed and apprehended cannot procure ſufficient ſecurity for his appearance, it ſhall be lawful for ſaid mayor or juſtice to commit him to gaol until ſuch complaint ſhall be enquired into, heard, and determined in manner before ſet forth.

In 3 days, or diſcharged.

LII. *ſect.* 52. When the perſon ſo accuſed, be committed to gaol, ſuch complaint ſhall be heard within three days from the time of commitment, otherwiſe diſcharged.

Proſecutors exculpated.

LIII. *ſect.* 53. Such perſons as ſhall give teſtimony againſt ſuch offenders to conviction, ſhall for ever be diſcharged and exculpated from all puniſhments which they or any of them may be liable to for or on account of being concerned in ſuch unlawful combinations mentioned in their teſtimony, and for which ſuch offenders ſo convicted.

10 guineas preſentment to coroners, each aſſiſes.

LIV. *ſect.* 54. It ſhall be lawful for the grand jury at each aſſizes in every year for the county of ſaid city, to preſent along with other public money ten guineas, to be raiſed along with ſuch other public money, and to be paid to the coroners of the county of ſaid city, for half a year's ſalary, ending at ſaid reſpective aſſizes.

30l. to clerk of crown.

LV. *ſect.* 55. It ſhall be lawful for the grand jury at each aſſizes in every year for the county of ſaid city, to preſent along with other public money thirty pounds, to be raiſed along with ſuch other public money, and paid to the clerk of crown of the county of ſaid city, for his trouble in attending and executing ſaid office at ſaid aſſizes.

Salt meaſurers appointed annually by mayor,

ſworn,

removed for miſbehaviour, another appointed;

committed one month;

meaſuring without appointment or oath 20s. to proſecutor and workhouſe,

fees aſcertained by mayor, &c.

LVI. *ſect.* 56. The mayor of ſaid city ſhall annually appoint a ſufficient number of honeſt and ſkilful perſons to meaſure ſalt on board or from on board any ſhip or other veſſel in ſaid city, between buyer and ſeller during mayoralty of ſaid mayor, and each of ſaid ſalt-meaſurers, before he acts in ſaid office, ſhall be ſworn before ſaid mayor fairly, juſtly, and impartially to meaſure the ſaid ſalt between buyer and ſeller, without favour to either of the parties; and it ſhall be lawful for ſaid mayor to remove any of ſaid ſalt-meaſurers from ſaid office for miſbehaviour, and to appoint another, and alſo on proof before ſaid mayor, by oath of one or more witneſſes (which oath ſaid mayor is authorized to adminiſter) of the miſbehaviour of any ſuch ſalt-meaſurer, it ſhall be lawful for ſaid mayor to commit to the houſe of correction, to be kept at hard labour not exceeding one calendar month; and in caſe any perſon ſhall meaſure ſalt on board or from on board any ſhip or veſſel in ſaid city, between buyer and ſeller, who ſhall not be ſo appointed by ſaid mayor, and ſworn, being convicted in a ſummary way before ſaid mayor, by oath of one or more witneſſes, ſhall forfeit, for each time ſuch perſon ſhall ſo meaſure ſalt, twenty ſhillings, levied by warrant of ſaid mayor, off the goods and chattles of offender, one half paid to proſecutor, the other half to the governors of the work-houſe of ſaid city, for uſe of ſaid work-houſe; and it ſhall be lawful for ſaid mayor, ſheriffs, and common council, or the majority, from time to time to aſcertain the fees to ſaid ſalt-meaſurers, and by whom ſaid fees are to be paid, whether by buyer or ſeller, or equally between both, and no other fees ſhall be paid or received for meaſuring ſaid ſalt in the ſaid city between buyer and ſeller, but thoſe aſcertained by mayor, &c.

Appointment and removal approved by Doyer hundred in 6 months, or void.

LVII. *ſect.* 57. The appointment and removal of ſaid meaſurers of ſalt, and every of them, ſhall be approved of by a court of doyer hundred in ſix months after admiſſion, or otherwiſe every ſuch appointment and removal ſhall be null and void to all intents and purpoſes whatſoever.

On green wax proceſs ſheriffs to retain 2s. 6d. *per* pound,

LVIII. *ſect.* 58. Whereas the not levying forfeited recognizances has partly impeded the adminiſtration of juſtice at the aſſizes and quarter-ſeſſions, it ſhall be lawful for the ſheriffs of the county of ſaid city to retain to their own uſe, and for their trouble, two ſhillings and ſix pence in the pound for all money, they ſhall levy

levy by virtue of ſuch green wax proceſſes, and ſheriffs ſhall be allowed the ſame on paſſing their accounts with the court of exchequer. allowed in accounts.

LIX. *ſect.* 59. This act ſhall in all courts and places be deemed and taken to be a public act, and judicially taken notice of by all judges, juſtices, and courts whatſoever, without ſpecially pleading the ſame; and if any replevin brought for any diſtreſs taken purſuant to this act, and if any perſon ſued for any thing done by virtue and in purſuance of this act, the defendant in ſuch replevin, and ſuch perſon ſued, may plead the general iſſue, and give this act and the ſpecial matter in evidence for defence; and if plaintiff ſhall diſcontinue, or be nonſuited, or if judgment againſt him, on verdict or demurrer, the defendant ſhall recover double coſts of ſuit. A public act; general iſſue; double coſts on nonſuit, &c.

I. *Stat.* 11 & 12 *G.* 3. *cap.* 23. *ſect.* 1. The houſe and front lot of ground in ſouth ſuburbs of Cork, or any other houſe or buildings which at any time hereafter ſhall be erected thereon, or other houſe or piece of ground in the ſouth ſuburbs of ſaid city, that may be thought more convenient by the majority of the herein-after mentioned truſtees, and any houſe or buildings that at any time hereafter may be erected thereon, ſhall be veſted in the ſeveral perſons herein named; to the intent and purpoſe, and upon the ſpecial truſt and confidence, that the ſaid houſe and front lot of ground, and the buildings that now are or that may be erected thereon, or any other houſe or ground in the ſouth ſuburbs of the ſaid city of Cork, that ſhall be thought more convenient by the majority of ſaid truſtees, and all buildings which are or ſhall be erected thereon, ſhall for ever hereafter be applied and diſpoſed of to the pious and charitable uſes herein mentioned. Houſe and ground in ſouth ſuburb of Cork, or any other taken, veſted in truſtees named, to be applied to charitable uſe.

II. *ſect.* 2. It ſhall be lawful for ſaid truſtees for the ſaid infirmary, from time to time, and at any time, to accept of or take by leaſe or purchaſe any lands, tenements, or hereditaments in the ſouth ſuburbs of ſaid city for any term of years, upon this ſpecial truſt and confidence, that the ſaid lands, tenements, or hereditaments, and all buildings now erected, or that ſhall be erected thereon, ſhall for ever hereafter be applied to and diſpoſed of to the pious and charitable uſes herein mentioned; and the ſaid lands, &c. and all houſes and buildings thereon, ſhall be veſted in and ſettled upon the aforeſaid truſtees, to be applied and diſpoſed of to the ſaid uſes. Truſtees may take leaſe or purchaſe of lands for any term of years; the lands and buildings veſted in them for ſaid uſes.

III. *ſect.* 3. After the firſt of July 1772, there ſhall be a body corporate to continue for ever for the execution of ſaid charitable deſign; which body corporate ſhall conſiſt of the ſeveral perſons herein named. A body corporate for ever.

IV. *ſect.* 4. For ever thereafter in name and fact one body politick and corporate in law for the charitable purpoſes herein, and ſhall have perpetual ſucceſſion, and be called by the name of The truſtees for the ſouth charitable infirmary of the city of Cork; and enabled to plead and ſue, and to be impleaded and ſued by that name in all courts of juſtice, and ſhall and may appoint a common ſeal and ſeals for uſe of ſaid corporation, and ſhall have power and authority to meet together as often as occaſion; and the ſaid truſtees and their ſucceſſors, or any five or more ſo aſſembled, ſhall have power to make ſuch reaſonable laws, rules, orders, and regulations for the better government and management of ſaid infirmary, as they ſhall think neceſſary and convenient, and to revoke or alter the ſame at their diſcretion. For the charitable purpoſes herein, named truſtees for the ſouth charitable infirmary of Cork; ſue and be ſued, a common ſeal, and to meet; any 5 to make or alter regulations.

V. *ſect.* 5. Said truſtees, or any five or more, ſhall on the firſt Wedneſday in July 1772, proceed to elect fifteen fit perſons out of ſuch, as at the time of ſuch election ſhall have been ſubſcribers for twelve calendar months previous to ſuch election, towards the ſupport of ſaid infirmary, and the charitable purpoſes therein to be carried on; which fifteen ſhall be elected by the majority of the truſtees and ſubſcribers 5 or more truſtees to elect annually on firſt Wedneſday in July 15 ſubſcribers for 12 months before to be added as truſtees.

ſubſcribers to ſaid infirmary then preſent in ſaid infirmary houſe; and ſuch fifteen ſo to be elected, added to the truſtees herein before named, and ſhall to all intents and purpoſes, and as if their names were herein particularly inſerted, be deemed and taken to be truſtees for ſaid infirmary, from the day next after their being elected, until the day next after the firſt Wedneſday in July 1773, and for no longer time by virtue of ſuch election; and ſaid truſtees before named, and the truſtees from time to time elected purſuant to this act, or any five, ſhall in like manner on the firſt Wedneſday of July 1773, and in every ſubſequent year proceed to elect fifteen fit perſons out of ſuch perſons, as at the time of ſuch election ſhall have been ſuch ſubſcribers as aforeſaid towards the ſupport of ſaid infirmary, and the charitable purpoſes therein to be carried on; which fifteen perſons ſhall be elected by the majority of the truſtees and ſubſcribers to ſaid infirmary then preſent in ſaid infirmary houſe; and that ſuch fifteen perſons, ſo from time to time to be elected, ſhall be added to the truſtees herein before named, and ſhall to all intents and purpoſes, and as if their names were herein particularly inſerted, be deemed and taken to be truſtees for ſaid infirmary from the day next after their being elected, until the day next after the firſt Wedneſday of July, in the year next following the time of their being elected, and for no longer time, by virtue of any one election.

Truſtees may take lands 1000l. a year in the whole, or any perſonal eſtate, for benefit of the infirmary.

VI. *ſect.* 6. Said truſtees ſhall and may without licence in mortmain purchaſe, take, or receive any manors, lands, tenements, annuities, or hereditaments, in poſſeſſion, reverſion, or contingency, not exceeding the value of one thouſand pounds a year in the whole, of the alienation, gift, or deviſe of any perſon having a right, and not being otherwiſe diſabled to alien, grant, or demiſe the ſame, who are hereby enabled to transfer and grant the ſame accordingly, or any goods, chattles, and perſonal eſtate whatſoever, as well for the enlarging the ſaid houſe, rebuilding it, or taking any other houſe or piece of ground in the ſouth ſuburbs of ſaid city, as the majority of ſaid truſtees ſhould think moſt convenient, or enlarging or building on the ſame, as for the relief, ſupport, and maintenance of the maimed, ſick, and infirm perſons, who are to receive the benefit of the ſaid infirmary.

May recover legacies, &c. in truſt.

VII. *ſect.* 7. Said truſtees and their ſucceſſors, ſhall have power and authority to recover all legacies, gifts, and bequeſts to any perſon whatſoever in truſt for ſaid infirmary, or for any of the charitable purpoſes therein carried on or to be carried on at any time or times previous to the firſt of July 1772.

May demiſe 31 years reſerving as much rent as really and *bona fide* can be had from ſolvent tenant,

VIII. *ſect.* 8. It ſhall be lawful for ſaid truſtees from time to time, by indenture under common ſeal to demiſe or leaſe any lands, tenements, or hereditaments, veſted in them in purſuance of this act, or any part or parcel thereof, for any term of years not exceeding thirty one, ſo as upon every ſuch demiſe or leaſe there be reſerved and made payable half yearly to the truſtees, and their ſucceſſors, during ſaid term, as much rent as at the time of making ſuch leaſe can be really and *bona fide* had for the ſame from a ſolvent tenant; and ſo as no fine, or income, or other conſideration be taken for the ſame, other than the ſaid rents reſerved; and ſo as every ſuch demiſe or leaſe be made in poſſeſſion and not in reverſion.

no fine or conſideration.

Other leaſes void.

IX. *ſect.* 9. All leaſes made of ſuch lands, tenements, or hereditaments, in any other manner, ſhall not be good or available in law, but to all intents and purpoſes null and void.

A public act.

X. *ſect.* 10. This act deemed, and taken, and allowed in all courts within this kingdom as a public act, and as ſuch all judges ſhall take notice thereof without ſpecially pleading the ſame.

I. *Stat.* 7 *Geo.* 3. *cap.* 12. *ſect.* 1. No bounty ſhall be paid under the 31ſt or 33d of G. 2. for flour or meal of wheat brought by land to Dublin. Perſons bringing by land, ſound, clean, merchantable flour of wheat of this kingdom from any place where made within this kingdom, and who ſhall ſell in the uſual public markets in Dublin, St. Sepulchre, Thomas Court, or Donore, or deliver to a factor to ſell, ſhall on performing requiſites aftermentioned receive from the paymaſter as a premium or bounty for every hundred (112 pounds to be computed) brought from a greater diſtance than five miles from Dublin caſtle three pence for every five miles, and ſo in proportion for any leſſer number of miles.

No premium for flour of wheat under 31 G. 2. c. 3. or 33 G. 2. c. 12.

3d. *per* 100 every 5 miles.

II. *ſect.* 2. No perſon intitled to ſaid bounty, unleſs he firſt delivers to ſaid paymaſter within three months after ſuch flour ſo brought and ſold an affidavit by the owner or his clerk before a juſtice of the county from whence brought, which ſuch juſtice is to take without fee or reward, and ſet forth the quantity, name of the place where made, and number of miles diſtant from Dublin caſtle, each in words not figures, and that the wheat was to beſt of his knowledge and belief of the growth of this kingdom, and that ſuch flour is as free from bran or pollard, as flour of that quality ought; and alſo deliver a certificate under hand and ſeal of a juſtice, that ſuch affidavit was made before him, and that he believes the particulars to be true; and alſo deliver an affidavit by a credible perſon, that ſuch certificate was ſigned and ſealed by the perſon whoſe name is ſubſcribed, and the names of the owners of ſuch flour, the quantity, and where made, and that it has been ſold in a public market or uſual place in Dublin, Saint Sepulchre, Thomas Court, or Donore, or delivered to a merchant or factor named to ſell, and that he or any other perſon to his belief has not received any premium for it; and alſo deliver a note from the craner of the market where ſold (which he is to give without fee or reward) of the quantity, and day of the month and year. The flour to be ſold in three months after ſo brought to Dublin.

Owners affidavit before a juſtice;

juſtice's certificate;

affidavit to paymaſter;

craner's note;

ſale in three months.

III. *ſect.* 3. If delivered to a factor, he in lieu of ſaid craner's note ſhall make affidavit before paymaſter of owner's name, the quantity, time of receiving it, and place of ſale, and that he or any other to his belief has not received any premium.

Factor's affidavit.

IV. *ſect.* 4. Perſons, who bring merchantable wheat, rye, meſlin, bere, barley, malt, oats, and French or pearl barley, by land to Dublin from any place, where it grew, in this kingdom, above five miles, and perform the requiſites in ſaid act, ſhall receive the bounties in ſaid acts for every five miles, and an additional halfpenny *per* mile every forty ſtone, and ſo in proportion.

On corn additional bounty one halfpenny every ſtone.

V. *ſect.* 5. If any forge or knowingly produce forged certificate, note, or affidavit, or knowingly ſwear falſe, guilty of felony, and tranſported to the plantations ſeven years.

Forgery or falſe ſwearing, tranſportation.

VI. *ſect.* 6. If any juſtice ſign a blank certificate, or any knowing it falſe, on information in B. R. for ever diſabled.

Signing blank or falſe certificate, diſabled.

VII. *ſect.* 7. Craner, refuſing ſuch note to perſon intitled, ſhall forfeit forty ſhillings to him by civil bill; giving falſe note ten pounds by civil bill to him who ſhall ſue.

Craner refuſing note, 40l. falſe note 10l.

VIII. *Stat.* 7 *Geo.* 3. *cap.* 20. *ſect.* 9. The act 25 G. 2. with the ſeveral amendments thereto by 31 G. 2. and all the clauſes, articles, and proviſoes therein revived and continued ſeven years, and from thence to the end of then next ſeſſion after expiration of ſaid ſeven years.

25 G. 2. c. 15. as amended by 31 G. 2. c. 9. continued 7 years, &c.

IX. *Stat.*

4d. *per* 100 corn, &c. brought coaſtways and ſold in Dublin.

IX. *Stat.* 7 *Geo.* 3. *cap.* 24. *ſect.* 1. Perſons, who after 1 June 1768 import ſound, merchantable wheat, flour of wheat, oats, bere, barley, or malt made of bere or barley of the growth and produce of this kingdom by water coaſtways to the city of Dublin from any port or place ſouthward of Dublin, nor nearer than Wicklow nor further than the Tuſcar, or from any port or place to northward of Dublin not nearer than Drogheda nor farther than Carrickfergus, and ſhall ſell or diſcharge in public markets or places where corn or malt uſually ſold in Dublin, ſhall upon performing requiſites herein receive from collector of Dublin four pence *per* hundred weight.

If ſouthward of Tuſcar and northward of Carrickfergus, 5d.

X. *ſect.* 2. Imported from any place ſouthward of the Tuſcar or northward of Carrickfergus, and ſo ſold and diſcharged in Dublin, five pence *per* hundred.

South of Cooley Point to Newry, Belfaſt, or Londonderry, 4d.

XI. *ſect.* 3. From any place ſouthward of Cooley Point near Carlingford in county of Louth to Newry, Belfaſt, or Londonderry, and ſold and diſcharged in any markets or places where uſually ſold in or near ſuch ports, four pence *per* hundred.

Notice of quantity and quality before ſhipt;

XII. *ſect.* 4. Maſter of the veſſel, in which brought to Dublin, Newry, Belfaſt, or Londonderry, ſhall, before the ſame is ſhipped, give notice in writing to the collector or principal officer of the port or diſtrict, ſpecifying the quantity and quality, who ſhall thereupon direct an officer of the port or diſtrict to attend the ſhipping, and as ſoon as ſhipped return in writing to ſuch collector or principal the quantity and quality, and name of the veſſel, and maſter, and time of ſhipping;

return;

ſaid return ſhall be ſigned by ſuch officer making it; the quantity, for which the premiums ſhall be paid, ſhall not exceed the return.

maſter's affidavit;

The maſter after ſhipping ſhall make affidavit before ſuch collector or neighbouring juſtice (which they are impowered and required to take without fee or reward) of the quantity and quality,

collector's certificate;

and mention real owners names, and where they reſide. Collector or principal officer ſhall thereupon deliver to ſuch maſter a certificate under hand and ſeal of the quantity and quality, name of maſter and owner,

copies tranſmitted.

and by next poſt tranſmit to the officer appointed by act of parliament for paying premiums upon land carriage of corn and flour to Dublin, or to collector of the port where intended to be landed, true copies of all ſuch returns, affidavits, and certificates.

Delivery of certificate, maſter's affidavit.

XIII. *ſect.* 5. Maſter upon arrival in Dublin ſhall deliver to ſaid officer, or on arrival at any of ſaid ports to the collector, ſuch certificate, and alſo make affidavit before ſuch officer of the quantity and quality, owners names, and place whence.

Forgery or perjury, impriſonment.

XIV. *ſect.* 6. If any forge ſuch certificate, affidavit, or note, and produce to ſuch officer knowing it forged, or knowingly ſwear falſe, on conviction ſhall ſuffer ſuch impriſonment as for wilful perjury by the laws of this kingdom.

Accounts as for land carriage;

XV. *ſect.* 7. Such accounts ſhall be kept of the ſeveral payments in purſuance of this act, as are directed to be kept by the ſeveral acts relative to the premiums on land carriage of corn and flour to Dublin.

ſaid officer furniſhed and allowed in like manner.

The officer appointed by ſaid acts for paying ſaid premiums ſhall from time to time be furniſhed with money to pay the premiums by this act for all corn imported coaſtways to Dublin in ſame manner and by ſame perſons as by ſaid acts; and collectors of ſaid ports ſhall be allowed reſpectively in their accounts whatever ſums, they ſhall pay in purſuance of this act.

No fees.

XVI. *ſect.* 8. None of the officers before mentioned ſhall take any fee or reward whatſoever for any thing done in purſuance of ſaid directions.

Continued 24 June 1770.

XVII. *ſect.* 9. This act ſhall continue until 24 June 1770, and no longer.

The 200 l. in 5 G. 3. c. 18. § 1, divided;

XVIII. *Stat.* 7 *Geo.* 3. *cap.* 28. *ſect.* 1. The 200 l. given by an act to amend an act for preſervation of corn, in each county, inſtead of being divided into the proportions

proportions or premiums therein ſet forth ſhall be divided in following manner; 100l. into four premiums, one of 40l. for any quantity of corn not leſs than 4000 ſtone of wheat or 8000 ſtone of any other corn; one of 30l. for any quantity not leſs than 3000 ſtone of wheat or 6000 of any other corn; one of 20l. for not leſs than 2000 of wheat or 4000 of other corn; and one of 10l. for 1000 of wheat or 2000 of other corn. The ſaid claſs of premiums payable on 1ſt of January 1769 in each county to landholders or farmers occupying in their own poſſeſſion not leſs than 250 acres, who ſhall then have the greateſt quantity of corn, the produce of their land, and ſhall have reaped the harveſt precedent not leſs than the quantities aforeſaid, preſerved on ſtands erected in the open air, as in ſaid act. If any of the higher premiums for any county remain not claimed, and at ſame time two or more claimants in that county for any of the lower premiums, the premiums not claimed ſhall be diſpoſed in premiums to perſons, who have the greateſt quantity not leſs than the quantities herein mentioned for the leſſer premiums.

100l. in 4 premiums;

1 Jan. 1769 to occupiers of 250 acres preſerved on ſtands;

if not claimed by the higher, diſpoſed to the lower.

XIX. *ſect.* 2. The other 100l. may be divided into five premiums, of 30, 25, 20, 15, & 10 pounds; the ſaid claſs payable on 1ſt January 1769 to the five landholders or farmers in each county occupying in their own poſſeſſion not leſs than forty acres nor exceeding two hundred and fifty, who ſhall then have the greateſt quantity reaped from the land occupied by them the harveſt preceding, and preſerved on ſtands in open air as in ſaid act.

100l. in 5 premiums for 40 acres,

XX. *ſect.* 3. Whereas 4539l. for January 1767 and 2945l. for 1768 remain not claimed, a further ſum of 50l. may be yearly paid in each county to the loweſt claſs of farmers, who hold not more than forty acres nor leſs than five, to be divided into five premiums, of 15, 12, 10, 8, and 5 pounds, and paid on 1ſt January 1769 to the five farmers of ſaid loweſt claſs who ſhall then have the greateſt quantity of corn reaped from their farms reſpectively the harveſt precedent, and preſerved on ſtands in open air as in ſaid act; landholders or farmers living within any county of city or town conſidered as intitled to any premiums aforeſaid in ſame manner to all intents and purpoſes as the inhabitants of the county at large.

Further 50l. to loweſt claſs in 5 premiums;

living in counties of towns intitled.

XXI. *ſect.* 4. Claimants ſhall give ſuch notice, as ſaid act requires, to the ſecretary or aſſiſtant of Dublin Society, mentioning the pariſh, barony, and county, wherein the corn and ſtands lie, number of ſtands, and of barts on each, and number of barts of each ſpecies of corn on each ſtand; and if more than one ſpecies on the ſame ſtand, the proof barts muſt be taken from each ſpecies, and the produce returned as ſaid act directs; ſaid ſecretary ſhall publiſh weekly as he receives, diſtinguiſhing pariſhes, baronies, and counties, until the 1ſt of January each year; and if not more than 400 barts on any one ſtand, or if there ſhall be different ſpecies of corn on ſame ſtand, and no more than 400 barts of any one ſpecies upon ſuch ſtand, then inſtead of taking down ten proof barts to threſh, as ſaid act directs, it ſhall be ſufficient to take down only ſix barts from ſuch ſtand, containing no more than 400 barts of any one ſpecies, and to return the exact produce of the ſame when threſhed, as ſaid act directs; and ſaid ſix proof barts or ten proof barts, in caſe the number of barts of every one ſpecies on any ſtand ſhall exceed 400, may be taken down from the ſtand or ſtands, as the corn is making up; provided taken indifferently and without any choice of the largeſt ſheafs, half from one part and half from another of ſuch ſtand or ſtands.

Notice to ſecretary of Dublin ſociety;

proof barts from each ſpecies, publiſhed weekly;

6 barts taken down, produce returned when threſhed;

taken down indifferently.

XXII. *ſect.* 5. Affidavits and certificates, neceſſary by this and ſaid act to intitle claimants, returned to ſaid ſecretary, who is to lay the ſame without delay before ſaid ſociety, who are impowered to judge from the ſame of each claimant's merit; in framing which judgment one ſtone of wheat always conſidered as equal to two of any other ſpecies; and barley or bere preferred to oats, wherever the number of

Affidavits and certificates returned;

1 ſtone of wheat equal to 2 of others;

ſtones

barley and bere preferred to oats; preference to tilling largeſt proportion and return.

ſtones equal. If ſeveral claimants for ſame premium, whoſe merits ſo nearly equal, that doubt may ariſe, the claimant, who has tilled the largeſt proportion of his farm, and has the greateſt return of corn by the acre from the land ſo tilled by him, ſhall have preference.

Owner aſſiſting affidavit of one ſufficient, otherwiſe 2, owner's affidavit.

XXIII. *ſect.* 6. Where farmer or owner himſelf aſſiſts in ſtacking and management of his corn, his own affidavit with affidavit of one other aſſiſting him ſufficient: but where owner does not aſſiſt himſelf, there muſt be affidavit of two employed by him, as ſaid act directs: but owner's affidavit need in ſuch caſe only ſet forth the quantity of land tilled by him or his order, and that the ſame is occupied by him, and in what barony, pariſh, and county it lies, the quantity of each ſpecies, produce of ſaid lands ſo tilled, or part of the produce then upon his ſtands, to the beſt of his judgment, ſuppoſing the ſame to be then all threſhed and cleaned, and that he verily believes the affidavits of the two perſons employed by him in management of his corn to be ſtrictly true.

Certificate to claimants;

XXIV. *ſect.* 7. When Dublin Society determines the merits of claimants, their ſecretary or aſſiſtant ſhall deliver to claimants, to whom premiums adjudged, a certificate ſigned by ſecretary, or aſſiſtant, or preſident, or one vice preſident, or five members, ſetting forth the premium adjudged; on delivery of which and claimant's receipt on the back to vice treaſurers or deputies they ſhall pay the ſum, which ſhall be allowed in their account.

payment by vice-treaſurer.

Certificate of a juſtice, where miniſter prevented.

XXV. *ſect.* 8. Where ſickneſs or other accident prevents rector, vicar, or curate of the pariſh from viewing claimants ſtands ſo as to give ſuch certificate, as ſaid act requires, a neighbouring juſtice certifying as by ſaid act ſhall anſwer the purpoſe: but no claimant intitled to premium, not producing ſuch certificate either of rector, vicar, curate, or juſtice to the ſecretary or aſſiſtant.

Bere or barley threſhed before 1 Jan. and claim allowed.

XXVI. *ſect.* 9. Perſons, who make up any quantity of bere or barley on ſtands, and perform the other requiſites in this and ſaid acts, may take down and threſh it, as ſoon as thought neceſſary, altho' before 1ſt of January every year, and have the benefit of ſuch bere or barley, and be allowed for the ſame in claim, as effectually as if preſerved on the ſtands on which erected until 1ſt of January every year.

Forgery, and falſe ſwearing.

XXVII. *ſect.* 10. Perſons wilfully forging falſe certificate or ſwearing falſe in any affidavit aforeſaid, when convicted, ſuffer as perſons convicted of wilful and corrupt forgery or perjury.

Like premiums 7 years.

XXVIII. *ſect.* 11. Like premiums, ſubject to ſame conditions and reſtrictions, in this and ſaid act, ſhall be paid yearly for 7 years from 1ſt January 1769, and to end of then next ſeſſion.

5 G. 3. c. 19. to 24 June 1772, &c.

XXIX. *Stat.* 11 *Geo.* 3. *cap.* 2. *ſect.* 5. An act 5 G. 3. c. 19. continued until 24 June 1772, and to end of then next ſeſſion.

Injuring perſons or property to hinder buying corn or potatoes, impriſoned not above 3 months nor leſs than 1, and whipped.

XXX. *Stat.* 11 *Geo.* 3. *cap.* 7. *ſect.* 1. If any perſon wilfully and maliciouſly beat, wound, or uſe any other violence to or upon any perſon with intent to deter or hinder him from buying corn, grain, or potatoes in any market or other place within this kingdom, or unlawfully ſtop or ſeiſe upon any carriage or horſe loaded with wheat, flour, meal, malt, or other grain, or potatoes in or on the way to or from any city, market-town, ſea-port, or other uſual place of ſhipping corn, or potatoes, or wilfully and maliciouſly break, cut, ſeparate, or deſtroy the ſame or any part, or the harneſs of the horſes drawing, or unlawfully take off, drive away, kill, or wound any ſuch horſes, or beat or wound the driver of ſuch carriage or horſe ſo loaded in order to ſtop the ſame, or by cutting the ſacks or otherwiſe ſcatter or throw abroad ſuch wheat, flour, meal, malt, or other grain, or potatoes, or take

and

and carry away, ſpoil or damage, the ſame or any part, or diſtribute, or compel the owner or his ſervant or carrier to diſtribute or otherwiſe depart from poſſeſſion thereof, contrary to his conſent, being thereof lawfully convicted before two juſtices of the county, county of city or town, or place corporate, wherein ſuch offence committed, or the juſtices in open ſeſſion (who are impowered ſummarily and finally to hear and determine) upon confeſſion of the party or oath of one or more perſons, he ſhall be ſent to the common gaol or houſe of correction and kept to hard labour, not exceeding three months nor leſs than one, and alſo ordered to be once publickly and openly whipped by the keeper of ſuch gaol in ſuch city, market-town, or ſea-port, in or near which ſuch offence committed, on the firſt convenient market-day, at the market-croſs or place there between eleven and two of the clock.

XXXI. *ſect.* 2. If any ſo convicted commit any of ſaid offences a ſecond time, or wilfully and maliciouſly pull, throw down, or deſtroy any ſtorehouſe or granary or other place where corn then kept in order to be exported or ſent from one part to another of this kingdom coaſtways, or unlawfully enter ſuch place and take and carry away any corn, flour, meal, or grain therefrom, or throw abroad or ſpoil any part, or unlawfully enter on board any ſhip, barge, boat, or veſſel, and wilfully and maliciouſly take and carry away, caſt or throw out therefrom, or otherwiſe ſpoil or damage any meal, flour, wheat, or other grain therein, intended for exportation or to be ſent coaſtways, being lawfully convicted, adjudged guilty of felony, and tranſported five years as other felons by the laws and ſtatutes of this realm; offenders ſo tranſported returning before ſaid five years, ſuffer death as a felon without benefit of clergy.

2d offence, or deſtroying granaries, &c. entering ſhips, and ſpoiling the grain, &c.

tranſportation 5 years,

returning ſooner, death.

XXXII. *ſect.* 3. No attainder from any offence made felony by this act ſhall work corruption of blood, loſs of dower, or diſinheritance.

No corruption of blood, &c.

XXXIII. *Stat.* 11 & 12 *Geo.* 3. *cap.* 9. *ſect.* 1. After the 24th of June 1772, no perſon intitled to receive any bounty for bringing flour to the city of Dublin, unleſs the owner, or ſome perſon employed by him to take care of the ſame where it was made, do, before it is brought to Dublin, make an affidavit before a juſtice of the county, in which ſuch flour was made, or chief magiſtrate of any town corporate, who are hereby impowered to adminiſter the ſame, which affidavit ſhall ſet forth the quantity of ſuch flour of wheat, name of the place where made, and number of miles ſuch place is diſtant from his majeſty's caſtle in Dublin, each to be expreſſed in words, not figures, and that the wheat, whereof ſuch flour was made, was to the beſt of the knowledge and belief of the perſon making ſuch affidavit, of the growth of this kingdom, and that ſuch flour is as free from bran or pollard, as flour of that quality ought to be, and that neither he nor any other perſon, to his belief, has received any premium for the ſame, or made any affidavit, but the preſent, to intitle him to a premium for the ſame; and if the perſon making ſuch affidavit be illiterate, it ſhall be made to appear upon oath of ſome other perſon, that ſuch affidavit was truly read to him, before ſuch juſtice or chief magiſtrate ſhall adminiſter the foregoing affidavit to him; and there ſhall be delivered to the perſon, appointed for paying thoſe premiums, ſuch certificate and affidavits as are required by the former acts.

Affidavit by owner of flour, or perſon employed before a juſtice where made or chief magiſtrate,

quantity, place, diſtance, in words,

growth of this kingdom, free from bran or pollard, no premium received,

if illiterate, oath that truly read,

certificate and affidavits delivered, as by former acts.

XXXIV. *ſect.* 2. If any perſons forge ſuch certificate, affidavit, or craner's note, as in this or the former acts, or any of them, is or are mentioned and directed, or produce to paymaſter or his deputy, any ſuch certificate, affidavit, or craner's note, knowing the ſame to be forged or falſe, with intent to receive the benefit of the

Forging, or knowingly producing forged, to receive the premium.

false swearing, fictitious names, first offence whipt on market day, in each of three next weeks, second felony, transportation 7 years, like penalty on aiding or procuring.

said premium or bounty, or shall knowingly swear any thing, which is false, in any such affidavits, or fraudulently assume or take any false or fictitious name in any such affidavit, he, she, or they, upon conviction, shall for the first offence be publickly whipped on a market day in each of the three successive weeks next after conviction; and for such next offence, adjudged guilty of felony, and transported for seven years to some one of the plantations in America; and if any persons knowingly aiding or assisting in making, procuring, or obtaining any such forged or false affidavit, they shall, upon conviction, for the first offence, be in like manner three times publickly whipped; and for such next offence deemed guilty of felony, and transported for seven years, to some one of the plantations in America.

Paymaster may appoint one during sickness, or necessary absence.

XXXV. *sect.* 3. In case of sickness or necessary absence of Roger Palmer, the present paymaster of the corn premiums, he may appoint a proper and discreet person, for whom he shall be answerable, to execute the said office in his place and stead, during such sickness or necessary absence, with like powers of administring oaths as the principal hath.

First approved by commissioners of excise.

XXXVI. *sect.* 4. Such person so to be appointed, shall, before he shall act in the said office, be approved of by the commissioners of revenue of excise, or any three, by writing under their respective hands and seals.

If brought to be weighed again, or in any name but real owners, or a greater distance sworn to, summarily heard, forfeited, to informer and foundling hospital.

XXXVII. *sect.* 5. After the 24 of June 1772; if any corn, meal, malt, or flour, which has been weighed at a publick crane in Dublin, the liberties of St. Sepulchre's, Thomas-Court, or Donore, and for which a craner's note has been obtained, shall be again brought to any of the said cranes, to be again weighed; or any shall be weighed at any of the cranes before mentioned in the name or names of any but the real owner or owners, or if any affidavit made before a justice of the peace, chief magistrate, or paymaster of the corn premiums, such corn, meal, malt, or flour, is sayed to be brought from any place at a greater distance from the castle of Dublin, than that, from which it was really brought, upon proof made thereof in a summary way before the lord mayor of Dublin, or two justices of the peace, such corn, meal, malt, or flour, shall be forfeited; one moiety to use of the informers, and the other to use of the foundling hospital.

## Corporations.

2 G. 3. c. 17. sec. 21. beneficial, by several charters a majority to be present at swearing, persons duly elected, tho' not sufficient number of members present at swearing, provided oaths before 2 at the usual place between 10 and 3, legal officers as if sworn pursuant to charter.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *sect.* 3. Whereas a clause in an act first of his present Majesty, *for continuing temporary statutes, and other purposes*, so far as the same relates to the swearing officers of boroughs and corporations, has been found beneficial: and by the charters of several, a majority are required to be present at the swearing chief magistrate, which is frequently attended with great inconvenience to the members: no person, who hath been or shall be duly elected into any such office, or in any ways sued, molested, or prosecuted, for or on account of any objection, which shall be taken, because there had not been sufficient number of burgesses, or other members of such borough or corporation, present at the swearing such officer, provided such officer shall have taken the oaths required by law in the presence of two of the burgesses or members of such borough or corporation in the publick market-house or town-house, or usual place of holding assemblies of such borough or corporation, between ten in the morning and three in the afternoon, and such officers of such boroughs and corporation; and all corporate acts, which have been, or shall be done by them, shall have the same force and effect, as if such officers had been respectively sworn pursuant to the direction of the said respective charters.

I. *Stat.*

## Cyder.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 2. *ſect.* 7. A duty ten ſhillings *per ann.* to be paid by all, that ſell or tap out by retail between 25 December 1771, and 25 December 1773 incluſive; one penny *per* gallon on all cyder ſold or tapped out by retail. 10s. *per ann.* retailers.

II. *ſect.* 10. After 25 December 1771, no perſons whatſoever ſhall ſell or tap out by retail but only ſuch as licenſed according to directions of this act under ſuch penalties as after expreſſed. Licence to retail.

III. *ſect.* 11. Chief commiſſioners of exciſe, or any three, and collectors of exciſe in their diſtricts, may from time to time grant ſuch licences, for every ſuch licence one ſhilling and one penny, and no more, ſhall be paid or demanded as a fee; if any one after 25 December 1771, ſells or taps out by retail without ſuch licence, he ſhall every time, he ſo offends, forfeit and pay five pounds. Fee 1s. 1d. Penalty 5l.

IV. *ſect.* 12. For better ordering and collecting ſaid duty of one penny *per* gallon, gaugers and officers of exciſe in their diſtricts from time to time may enter in the day into houſes, out-houſes, ſtore-houſes, and cellars of every retailer, and take account of all ſuch cyder, as found in his poſſeſſion, and charge with ſaid duty of one penny *per* gallon accordingly. Gaugers may enter by day, and take account.

V. *ſect.* 13. Every retailer ſhall ſhew gauger or officers of exciſe on demand all ſtock then on hand; if retailer or his ſervants (in caſe he ſhall not be preſent, when they come to take ſtock) refuſe to make declaration, and ſhew all his ſtock, he ſhall every ſuch offence forfeit and loſe ten pounds; and if the officer after declaration made finds any cyder in poſſeſſion or cuſtody of ſuch retailer over and above the quantity ſhewn and declared, he ſhall likewiſe forfeit and loſe ten pounds. Refuſal, or more found 10l.

## Debtors.

I. *Stat.* 7 *Geo.* 3. *cap.* 5. The act 6 *Geo.* 3. *c.* 23. *For relief of inſolvent debtors* ſhall extend to all perſons, whoſe names are contained in the ſchedule number One annexed to ſaid act, not only to thoſe who were charged in execution, but to thoſe alſo who were confined upon writs or other meſne proceſſes, upon their duly complying with the terms and performing the ſeveral requiſites required by ſaid act. 6 G. 3. c. 23 extended to perſons confined on writs or meſne proceſs.

II. *Stat.* 11 & 12 *Geo.* 3. *cap.* 32. *ſect.* 1. Whereas the ſeveral perſons, whoſe names are mentioned in the ſchedules annexed, have been by misfortunes rendered unable to ſatisfy the whole of their debts, and it is reaſonable to make proviſion for the relief of ſuch, as ſhall do their utmoſt for their creditors; it ſhall be lawful for the perſons, whoſe names mentioned in ſaid ſchedules, at any time before the firſt of May 1773, to exhibit petitions to court of king's bench or common pleas, ſetting forth the ſeveral matters directed to be ſet forth in petitions of perſons mentioned in a ſchedule annexed to an act the firſt of his preſent majeſty, *for relief of inſolvent debtors*; and ſaid ſeveral perſons ſhall, upon performing the ſeveral requiſites in ſaid act directed to be performed by the ſeveral perſons in the ſchedule thereunto annexed, be intitled to the like benefit and relief, and ſubject to the like puniſhment, in caſe of delivering a falſe account of their eſtate and effects, or concealing, as by ſaid act is directed; and the reſpective eſtates and effects of the perſons, mentioned in the ſchedules hereunto annexed, ſhall be ſubject to all the terms and proviſions in ſaid act, with reſpect to the eſtates and effects of the perſons, in ſaid ſchedules annexed to ſaid act. On Petition to B. R. or C. B. before 1 May 1773, and performing requiſites in 1 G. 1. c. 16. intitled to like relief on like terms, ſubject to like puniſhment.

III. *ſect.* 2. Court of king's bench and common pleas inveſted with all like powers, with reſpect to the perſons, eſtates, and effects of the debtors in the ſchedules hereunto B. R. and C. B. inveſted with like powers.

hereunto annexed, as ſaid courts were by ſaid act for relief of perſons included in the ſchedule thereunto annexed.

a 3ds of real creditors in number and value to ſign certificate of conſent to diſcharge, proved on oath.

IV. *ſect.* 3. None of the perſons, in the ſecond ſchedule intitled to take any benefit under this act, unleſs two thirds of the real creditors in number and value of ſuch perſons reſpectively ſign a certificate, ſignifying conſent to the diſcharge; the truth of which certificate muſt be proved upon oath to the ſatisfaction of the court, to which ſuch petitions preferred.

No conveyance or act to defraud creditors.

V. *ſect.* 4. No perſon ſhall take any benefit by this act, who has made any fraudulent conveyance or aſſignment of his eſtate or goods, or any part thereof, either previous or ſubſequent to his failure, with an intention to defraud his creditors, or any of them, or who has done, or ſuffered any fraudulent act, for the purpoſe aforeſaid, and the ſame ſhall be made to appear to ſatisfaction of the court, in which the petition of ſuch debtor depending, upon an examination *viva voce* or by affidavit, as ſuch court ſhall direct.

## Diſtillers.

Licence for ſtills of 40 gallons.

II. *Stat.* 7 *Geo.* 3. *cap.* 27. *ſect.* 2. Commiſſioners of exciſe, any three or more, may grant licences to any chemiſt, apothecary, or druggiſt to uſe any ſtill, black-pot, or alembick for making or diſtilling ſimple or compound waters, the full contents whereof ſhall not exceed or contain more than forty gallons, which licences ſhall expreſs the exact contents and metal of which ſuch ſtill is intended to be made; and may licenſe any brazier or manufacturer in metal to make the ſame for uſe of any chemiſt, apothecary, or druggiſt ſo licenſed, any thing in this or any other act to the contrary notwithſtanding.

100l. bond not to diſtil ſpirits, or ſtrong waters liable to excife.

II. *ſect.* 3. No ſuch licences ſhall iſſue, until a bond entered into to his majeſty, his heirs and ſucceſſors, with ſufficient ſecurities in penal ſum of one hundred pounds conditioned not to diſtil therein *aquavitæ*, ſpirits, or other ſtrong waters, by any act now in force ſubject or liable to any duty or exciſe; which bonds ſhall be valid and effectual in law for recovery of the penalties therein; if any chemiſt, apothecary, or druggiſt uſe any ſtill, black-pot, or alembick, before ſuch bond executed, ſhall forfeit one hundred pounds ſterling.

14 & 15 C. 2. c. 1. ſec. 25. refuſing entrance. On hiring out veſſels 24 hours notice, penalty 5l.

III. *ſect.* 4. Penalties in 14 & 15 C. 2. on refuſing entrance and liberty to gauge extended to wife or ſervants refuſing.

IV. *ſect.* 5. Perſons who lend or hire out any veſſel uſed in diſtilling ſtrong waters, ſhall firſt give twenty-four hours notice in writing to the gauger or exciſe-officer of the perſon's name and abode, to whom they have agreed to lend or hire, under the penalty of five pounds every time they lend or hire out ſuch veſſel for diſtilling ſpirits, without ſuch notice.

Caſks placed for gaugers, or charged by the outſide.

V. *ſect.* 8. Common diſtiller, or maker of ſpirits, or *aquavitæ* for ſale ſhall place all the caſks and veſſels in which ſuch ſpirits ſtored, in ſuch ſituations reſpectively, as that exciſe officers may readily and effectually take the gauge, or in default are directed to take the dimenſions of the outſide, and charge duties of exciſe according to ſuch dimenſions, as if ſuch caſk or veſſel were of ſame contents within.

Repeal of 33 G. 2. c. 10. ſec. 78.

VI. *Stat.* 11 & 12 *Geo.* 3. *cap.* 7. *ſect.* 3. Whereas by means of the proviſo in 33 *Geo.* 2. *cap.* 10. *(ſect.* 78.*)* great frauds committed by private diſtillers for ſale, who encourage an immoderate uſe of ſpirituous liquors among the lower claſs to great detriment of the health of the ſubject, the ſaid proviſo repealed, and made void to all intents and purpoſes; and after 1 Auguſt 1772 no perſon, except licenſed as hereinafter, ſhall have, keep, or make uſe of any ſtill, black-pot, alembick,

or

or other veſſel for making any ſpirits, *aquavitæ*, or ſtrong waters whatſoever, which ſhall not hold at leaſt two hundred gallons of liquid meaſure, on pain of forfeiture, and alſo twenty pounds every offence, with all the waſh, pot-ale, ſinglings, low wines, and ſpirits found therein, recovered as herein after mentioned. no ſtill under 200 gallons.

VII. *ſect.* 4. Chief commiſſioners of exciſe, or any one, or any collector in his diſtrict, may and are required to grant on application without fee or reward a licence to any chymiſt, apothecary, or druggiſt, to keep or uſe one or more ſtills, black pots, or alembicks of ſuch dimenſions, and no other as mentioned by him, and ſpecified in ſuch licence, for diſtilling medicinal compound or cordial waters only. Licences to chymiſts, &c. for medicinal waters.

VIII. *ſect.* 5. Every chymiſt, &c. applying ſhall previous to iſſuing ſuch licence enter into bond to his majeſty, with one or more ſecurities in the penal ſum of one hundred pounds, not to ſell any ſpirits whatſoever, except medicinal compound and cordial waters only, nor lend or let out to hire any ſuch ſtill, black-pot, or alembick to any perſon; if the condition broken, ſaid bond valid and effectual in law for recovery of the penalty, and ſuch licence, immediately after judgment had, null and void to all intents, conſtructions, and purpoſes. On 100l. bond not to ſell ſpirits, nor lend or hire ſtill.

IX. *ſect.* 6. Commiſſioners of exciſe, or any three, may iſſue licences to ſuch, as they think proper, to keep and uſe one or more ſtills, black-pots, or alembicks at their diſcretion, not exceeding twelve gallons dimenſions each, for diſtilling medicinal waters, or making experiments and diſcoveries in natural philoſophy, any thing herein to the contrary notwithſtanding. Licences for 12 gallon ſtills.

X. *ſect.* 7. If any exciſe officer after 1 Auguſt 1772, ſhall ſatisfy any juſtice or chief magiſtrate, not an officer of revenue, by information on oath in writing, ſetting forth the grounds of his ſuſpicion, that there is reaſonable or probable cauſe to believe, any ſtill, black-pot, or alembick is concealed in any houſe, out-houſe, or place of any private perſon, ſuch magiſtrate, if he ſees ſufficient foundation, may by warrant under hand and ſeal impower ſuch officers, aſſiſted by the conſtable or other civil officer, in the day from the 21 March until 21 September every year between the hours of 10 and 6, and after 21 September, between 10 and 3, at no other times or hours, to enter to ſearch for the ſame; if refuſed or denied, ſuch conſtable, &c. may after refuſal break open, enter, and ſearch for ſuch ſtills, concealed; if any found, ſeized and deemed forfeited with all the low-wines, ſpirits, and *aquavitæ* found in ſuch place, and ſuch officers may attach and carry away the ſame; provided in any information, indictment, or civil action againſt ſuch exciſe-officer for ſuch entry ſuch warrant of a juſtice of peace ſhall not be a juſtification, unleſs ſuch officer or officers moreover prove reaſonable or probable cauſe of ſuſpicion. Entrance by day on ſuſpicion on warrant or oath, break open on refuſal, concealed ſtills and liquor forfeited. cauſe of ſuſpicion proved.

XI. *ſect.* 8. Every common diſtiller of low wines, *aquavitæ*, or ſpirits for ſale ſhall place all their caſks and veſſels in ſuch convenient ſituations, that exciſe-officers may readily and effectually gauge, and in default ſaid officers directed and authorized to take the outſide dimenſions, and charge duties accordingly in as full and ample manner, as if of like dimenſions within; which charge binding on ſuch common diſtiller. Caſks placed properly, or gauge on outſide.

XII. *ſect.* 20. Continued 2 years, &c. from 24 June 1772.

## Drugs.

I. *Stat.* 11 *Geo.* 3. *cap.* 2. *ſect.* 6. An act 1 *Geo.* 3. *cap.* 14. revived and continued until 24 June 1772, and to the end of the then next ſeſſion. 1 G. 3. c. 14 to 24 June 1774, &c.

I. *Stat.*

# Drugs.

1 G. 3. c. 14 continued to 24 June 1774, &c.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 10. An act 1 G. 3. for preventing frauds and abuſes in drugs and medicines, ſhall continue in force until 24 June, 1774, and to the end of the then next ſeſſion.

# Dublin.

Money ariſing on purchaſe from eccleſiaſticks by commiſſioners in 31 G. 2. c. 19, lodged in truſtees, laid out in lands, &c. in fee for ſuch eccleſiaſticks and ſucceſſors, *non obſt.*

I. *Stat.* 7 *Geo.* 3. *cap.* 7. *ſect.* 1. In all purchaſes by the commiſſioners (*named in the* 31 *Geo.* 2. *cap.* 19 *amended by* 33 *Geo.* 2. *cap.* 15) or their ſucceſſors, or any five or more, from any dean, chanter, chancellor, treaſurer, prebendary, or other dignitary, parſon, vicar, or other incumbent of a pariſh, of any houſes, building, or ground, to them belonging in right of their reſpective dignities or pariſhes, ſuch purchaſe money ſhall be lodged in one or more truſtee or truſtees, to be appointed by ſuch dignitary with conſent of the dean and chapter, of which he ſhall be a member, or by ſuch parſon, vicar, or other incumbent with conſent of the patrons of ſuch pariſh, in truſt, after deducting all reaſonable coſts and expences, to be laid out by them or their executors or adminiſtrators in purchaſe of lands, tenements, hereditaments in fee ſimple, for the uſe of ſuch dignitary, parſon, vicar, or other incumbent, from whom ſuch purchaſes ſhall be made, and their ſucceſſors, any ſtatute of mortmain, or any other law, ſtatute, or uſage to the contrary notwithſtanding.

Power to leaſe not above 40 years from making, and to renew,

like rent reſerved,

regiſtered.

II. *ſect.* 2. After ſuch purchaſe by ſuch truſtees every ſuch dignitary and his ſucceſſors with conſent of the dean and chapter, and every ſuch parſon, vicar, or other incumbent, with conſent of the patron, may make a leaſe or leaſes of any of the lands, tenements, hereditaments ſo purchaſed, for any term of years not exceeding forty from the time of making, and renew the ſame in like manner from time to time and for the like term, ſo as no leſs rent be reſerved to ſuch dignitary or incumbent or ſucceſſors, than was reſerved out of the houſes, buildings, or ground purchaſed by ſaid commiſſioners, and ſo as every ſuch leaſe or renewal be regiſtered in like manner, as other the like leaſes by eccleſiaſtical perſons ought to be.

Bargain and ſale by guardian of infant tenant's, inrolled in 6 months,

purchaſe money laid out in lands, &c. to like uſes.

IV. *ſect.* 3. Where infants ſeized of or intitled to eſtate tail in any houſes, buildings, or ground purchaſed by ſaid commiſſioners, the conveyance by bargain and ſale by the guardians to the commiſſioners, acknowledged by ſuch guardians, and inrolled in chancery within ſix months after making, ſhall effectually and abſolutely convey the fee ſimple to the commiſſioners and their ſucceſſors for ever, tho' no fine or recovery be levied or ſuffered, and the money ariſing from ſuch ſale ſhall be paid by ſaid commiſſioners to ſuch guardians in truſt, after deducting the coſts and expences, to be laid out in the purchaſe of lands, tenements, or hereditaments to ſuch uſes, as the premiſſes ſo purchaſed by ſaid commiſſioners ſtand limited immediately before ſuch bargain and ſale.

Till purchaſe placed at intereſt in government ſecurities for thoſe intitled.

III. *ſect.* 4. Until ſuch purchaſes can be conveniently made by ſuch truſtees or guardians, their executors or adminiſtrators, they may place out ſuch purchaſe money or any part at intereſt on government ſecurities, and pay ſuch intereſt from time to time to ſuch perſons, as would be intitled by this act to the yearly profits, if laid out in purchaſe of lands, tenements, or hereditaments.

Receipts of truſtees or guardians a diſcharge.

IV. *ſect.* 5. Receipts of ſuch truſtees or guardians or the ſurvivor, or the heirs, executors, or adminiſtrators of ſurvivor, under hand and ſeal ſhall be a ſufficient diſcharge to ſaid commiſſioners, and their ſucceſſors for ſo much of ſaid purchaſe money, and afterwards ſaid commiſſioners abſolutely acquitted and diſcharged of and from the

the ſame, and they ſhall not be anſwerable or accountable in law or equity for any loſs or damage by any miſapplication of ſaid purchaſe money or any part.

VI. *ſect.* 6. Members of Parliament for city of Dublin, ſhall at all times be commiſſioners for carrying ſaid acts into execution, with all ſuch powers as are given to any commiſſioners by any of ſaid acts. Members for Dublin commiſſioners.

VII. *ſect* 7. This ſhall be declared and deemed a publick act, in like manner as the firſt recited act hath been declared to be. A publick act as 31 G. 2. 19.

VIII. *Stat.* 7 *Geo* 3. *cap.* 22. *ſect.* 1. Commiſſioners for widening the ſtreets, ſo ſoon as they have compleated the purchaſe of ground, ſhall and do convey the plot for building an exchange upon unto the guild or corporation, commonly called the maſters, wardens, and brethren of the corporation of merchants, or guild of the holy Trinity of the city of Dublin, and their ſucceſſors for ever, and they be impowered to accept of ſaid conveyance. Commiſſioners to convey ground purchaſed for an Exchange to guild of merchants.

IX. *ſect.* 2. Immediately after ſaid purchaſe and conveyance, ſaid plot declared veſted in the actual ſeiſin and poſſeſſion of ſaid guild and ſucceſſors for ever, for the ſole purpoſes and uſes of building thereon a convenient and commodious exchange and place of meeting for the merchants, and traders of the city. Veſted in them for that ſole purpoſe.

X. *ſect.* 3. The following perſons, all of the city of Dublin merchants, Thomas Read, Matthew Weld, Robert Jaffray, Theophilus Thompſon, Travers Hartley, Joſeph Fletcher, Edward Strettel, Joſeph Eynam, George Sutton, George Maquay, Alexander Jaffray, Robert Magee, Abraham Wilkinſon, William Thompſon, William Colvil, and George Godfrey Hoffman, together with the lord mayor and ſheriffs, the two citizens repreſenting ſaid city in parliament, treaſurer of ſaid city, and ſenior maſter of the guild of merchants, all for the time being, conſtituted and appointed truſtees for the purpoſes of planning, erecting, and compleating according to their judgment and diſcretion, the ſaid exchange and place of meeting for the merchants or traders of Dublin, and for keeping the ſame in good order and repair, and regulating all matters relating thereto; ſaid truſtees, or any ſeven or more of them, may plan, deſign, erect, compleat, and finiſh a building for the purpoſe of an exchange, and place of meeting, for the merchants and traders of Dublin, and keep the ſame from time to time in order and repair, and regulate all matters relating thereto. Truſtees. any 7 or more.

XI. *ſect.* 4. For ſupplying and continuing a number of fit and able merchants, to be truſtees for putting in execution, the powers and truſts in this act, when any of before named merchants dye, refuſe to act, or reſign, the maſter for time being of ſaid guild or corporation, at ſome convenient time, in ten days after notice to them thereof by ſurviving truſtees, or any ſeven, ſhall by publick notice for that purpoſe in Dublin Gazette convene at the common hall of ſaid guild, an aſſembly of ſuch members, not leſs than thirty, as ſhall have at the time the allowance of ſix *per cent.* at the cuſtom houſe as wholeſale merchants, and then and there elect a merchant, or, if then more than one vacancy, a number of merchants, ſufficient to fill up ſuch vacancies, and qualified as aforeſaid for three years next before ſuch day of election, in the room and ſtead of ſaid merchant or merchants before named ſo dying, refuſing, or reſigning, and ſo from time to time for ever upon the death, refuſal, or reſignation of any of ſaid merchants, ſo from time to time to be elected, one or more merchants ſo qualified, ſhall be ſo elected and choſen from time to time, ſo as that there may be always a body of 16 merchants ſo qualified, ſubſiſting for purpoſes aforeſaid, over and above the ſaid lord mayor, ſheriffs, repreſentatives, treaſurer, and ſenior maſter, for time being. Vacancies ſupplied at aſſembly of qualified wholeſale merchants, not under 30, on notice in Gazette. always 16 merchants.

XII. *ſect.*

Meetings, lord mayor president.

XII. *sect.* 5. Truſtees or any ſeven to meet at ſuch times and places in city of Dublin, as they from time to time think proper, till ſaid exchange ſhall be erected and finiſhed, and then at ſaid exchange, at which meeting the ſaid lord mayor when preſent ſhall be preſident.

Incorporated

XIII. *ſect.* 6. Truſtees and ſucceſſors for ever a body politick and corporate, capable in law to ſue and be ſued, plead and be impleaded, anſwer and be anſwered in all courts of law and equity, by name of truſtees of the royal exchange of Dublin, make and uſe a common ſeal, capable in law by ſuch name to take ſecurities for money due as truſtees, and performance of agreement or contract, or due execution of any power or authority committed by them, concerning ſaid exchange in building and erecting, or repairing and keeping in good order and condition; any ſeven may enter into and execute all ſuch contracts, and agrements, as neceſſary for, or relative to execution of ſaid truſt, and nominate and appoint a treaſurer, and clerk or regiſter, and other neceſſary officers and ſervants, with ſuitable ſalaries or wages from time to time during their pleaſure; ſervice of ſuch clerk with ſubpœna, order, decree, or proceſs of any court of law or equity, ſhall be ſufficient ſervice of ſaid truſtees, ſo as made twenty days at leaſt before return or time appointed by ſuch proceſs for obedience.

take ſecurities,

execute contracts, appoint officers,

proceſs ſerved on clerk 20 days.

XIV. *ſect.* 7. Seven from time to time may make reaſonable by-laws, orders, and directions for better regulations of ſaid Royal Exchange, and place of meeting and government of officers and ſervants, and vacate, vary, or alter, as to them ſeems meet and convenient.

Seven make by-laws.

XV. *ſect.* 8. Any three truſtees may from time to time convene ſaid truſtees, ſign a direction in writing, of time and place in Dublin to the clerk or regiſter, who may iſſue ſummons purſuant thereto.

Three may convene, ſummons by clerk.

XVI. *ſect.* 9. Two days notice of meeting, given in uſual manner to ſaid truſtees reſpectively, or ſuch as then reſident in Dublin or the liberties; any ſeven to tranſact buſineſs at ſuch meeting.

Two days notice, 7 to act.

XVII. *ſect.* 10. Immediately after the plot of ground appropriated for building ſaid Exchange, conveyed to ſaid guild of merchants, the ſame ſhall be thenceforth for ever be part of the county of the city, and ſo deemed in all courts of law and equity.

Deemed in county of the city.

XVIII. *ſect.* 11. Action or ſuit, for any thing done in purſuance of this act, or in relation to the premiſſes, ſhall be laid within ſix months next after the fact in the county of the city, and not elſewhere; defendants may plead general iſſue, and give this act and ſpecial matter in evidence at any trial thereon, and that it was done in purſuance of this act; and if it ſhall ſo appear, or if ſuch ſuit not within the time limited, or in any other county or place, the jury ſhall find for defendants, or if plaintiff nonſuited, or ſuffer diſcontinuance, or verdict againſt plaintiff, or if on demurrer judgment againſt plaintiff, defendants ſhall have double coſts, and ſuch remedy for recovering as any defendants have in other cauſes by law.

Suits in 6 months, laid in county of city,

general iſſue pleaded,

double coſts.

XIX. *ſect.* 12. This a publick act; deemed and taken notice of as ſuch in all courts and places without pleading.

A publick act.

XX. *Stat.* 21 *Geo.* 3. *cap.* 2. *ſect.* 4. The act 19 *Geo.* 2. *cap.* 21. and all the other acts now in force relative to the workhouſe of the city, and the ſeveral taxes thereby impoſed or intended, and the powers and the authorities given, further continued in full force until 24 June 1792, and to the end of then next ſeſſion.

19 G. 2. c. 21. &c continued to 24 June 1792, &c.

XXI. *Stat.*

XXI. *Stat.* 11 & 12 *Geo.* 3. *cap.* 11. *ſect.* 1. After the 24th of June 1772, an act in the ſecond year of Queen Ann; and alſo an act in the firſt year of his late majeſty; and alſo an act in the third year of the ſaid reign, and alſo an act in the fifth year of the ſaid reign; and alſo an act in the nineteenth year of the ſaid reign; and alſo an act in the twentieth year of the ſaid reign; and alſo a clauſe in an act in the eleventh year of his preſent majeſty's reign, whereby the ſaid ſeveral acts are to continue in force until the 24th of June, 1792, and to the end of the then next ſeſſion, ſhall be repealed and made null and void, except ſo much of the ſaid act in the firſt of his late majeſty, as relates to the preventing miſchiefs, which may happen by keeping gun-powder within the city of Dublin.

The following acts repealed,
2 Anne, c. 19.
1 G. 2. c. 27.
3 G. 2. c. 17.
5 G. 2. c. 14.
19 G. 2. c. 21.
25 G. 2. c. 16.
11 G. 3. c. 2.
except ſo much of the 1 G. 2. c. 27. as relates to gun-powder in Dublin.

XXII. *ſect.* 2. And whereas by the repeal of the ſaid ſeveral acts, the corporation of the governors of the work-houſe will be diſſolved, after the 24th of June, 1772 there ſhall be a corporation of governors of the foundling hoſpital and work-houſe to continue for ever in the county of the city of Dublin, which corporation ſhall conſiſt of the ſeveral perſons after mentioned.

A new corporation created, to continue for ever.

XXIII. *ſect.* 3. On the death or reſignation of any perſon herein particularly before mentioned, whereby a vacancy of a governor ſhall happen, the governors of the ſaid foundling hoſpital and work-houſe, at the next or any other general meeting, to be held as hereafter is mentioned, ſhall elect another who ſhall be reſident with ſaid city, or within three miles in the place and ſtead of every ſuch perſon; and as often as any vacancy ſhall happen by death or reſignation in the place of any of the perſons hereafter to be elected to ſucceed therein, ſome other perſon or perſons qualified as aforeſaid, ſhall in like manner, from time to time for ever hereafter be elected; which perſons ſo elected ſhall to all intents and purpoſes be deemed and taken to be governors, and members of the ſaid corporation as if their names were herein particularly inſerted.

On Death or reſignation others elected at general meeting,
reſident in Dublin or 3 miles.

XXIV. *ſect.* 4. After the 24th of June 1772, the ſaid perſons, and their ſucceſſors, ſhall for ever, in name and fact, be one body politick and corporate in law, to all intents and purpoſes, and have perpetual ſucceſſion, and called the governors of the foundling hoſpital and work-houſe of the city of Dublin, and enabled to plead and ſue, and be ſued and impleaded by that name, and have a common ſeal for their uſe, and, without licence in mortmain purchaſe, take, and receive any lands, tenements, or hereditaments whatſoever, not exceeding the annual value of two thouſand pounds, or any perſonal eſtate whatſoever, for the uſe and benefit of the ſaid corporation.

A body politick and corporate,
perpetual,
a common ſeal,
purchaſe without licence in mortmain 2000l. yearly,
or any perſonal eſtate.

XXV. *ſect.* 5. Said governors, or any eleven or more, ſhall, at their firſt meeting after the 24th of June 1772, in caſe any of the perſons before named, happen to die before the ſaid meeting, elect one or more perſons, qualified as aforeſaid, to be governors in the room, and alſo then proceed to elect and appoint a proper perſon to be their treaſurer, or ſteward and overſeer of ſaid foundling hoſpital and work-houſe, during their pleaſure, at a ſalary not exceeding one hundred and fifty pounds *per ann.* and the ſaid treaſurer, or ſteward and overſeer, when ſo elected and appointed, ſhall, with two other ſolvent and ſufficient perſons, execute a bond to ſaid governors in a ſum not leſs than two thouſand pounds, conditioned for his well and truly accounting upon oath to the ſaid governors once every year, or oftner, if thereunto required, for all ſums which ſhall come into his hands as treaſurer, and for faithfully diſcharging his duty in every particular, and for keeping one or more good and ſufficient clerks, the better to execute his ſaid office, for the juſt and good conduct of which clerks he ſhall be accountable.

11 governors at firſt meeting, to elect in room of thoſe dying,
and a treaſurer, during pleaſure, not above 150l. *per ann.*
bond by treaſurer with 2 others in 2000l. for accounting on oath,
diſcharging duty,
and keeping clerks,
for whom accountable.

Not above 20l. a year to clerks,

approved by 11 governors, regiſter during pleaſure, 60l. a year,

to ſummon every member to general aſſembly,

give notice to court of aſſiſtants,

and do all other buſineſs.

bond with 2 others in 500l.

11 governors at meeting to nominate 2 phyſicians to attend, 80l. a year each,

and other neceſſary officers, with reaſonable ſalaries, not above 500l. yearly in the whole,

no maſter, miſtreſs, or nurſe, deemed an officer or ſervant.

11 at general aſſembly may elect ſucceſſor to treaſurer or regiſter,

make bye-laws, &c.

not contrary to law.

All rights veſted in the new governors.

Subject to all demands againſt the late corporation,

ſuits depending carried on.

XXVI. *ſect.* 6. Provided, that the ſums paid to ſuch clerk or clerks, do not in the whole in any one year, exceed twenty pounds; and every ſuch clerk, before he ſhall act as ſuch, ſhall be approved of by ſaid governors, or any eleven or more; and ſaid governors ſhall alſo at ſame time nominate and appoint a regiſter during pleaſure, at a ſalary not exceeding ſixty pounds a year; and ſaid regiſter ſhall from time to time ſummon every member of ſaid corporation reſiding in Dublin, or the liberties adjoining, to meet at ſaid work-houſe, to hold a general court of aſſembly on the days herein after directed for the quarterly holding the ſame, or oftner, at the ſaid work-houſe, or any other place, if ſaid governors, or any eleven, or the court of aſſiſtants, or any five or more, ſhall ſee occaſion; and ſaid regiſter ſhall alſo give notice to each member of the court of aſſiſtants of their days and place of meeting, and ſhall alſo do ſuch other buſineſs, as ſaid governors, or any eleven, ſhall from time to time think neceſſary; and ſaid regiſter, before he enters upon his office, ſhall, with two other ſolvent and ſufficient perſons, execute a bond to ſaid governors for a ſum not leſs than five hundred pounds, conditioned for his faithful diſcharge of duties of his office; and it ſhall be lawful for ſaid governors, eleven at leaſt being preſent at any ſuch meeting, to nominate and appoint, during pleaſure, two phyſicians to attend ſaid foundling hoſpital and work-houſe, during pleaſure, at a yearly ſalary, not exceeding eighty pounds each; and alſo all other neceſſary officers and ſervants, during pleaſure, with ſuch reaſonable ſalaries as they ſhall judge proper, not exceeding in the whole, excluſive of thoſe hereby granted to the treaſurer, regiſter, and phyſicians, the yearly ſum of five hundred pounds: provided no maſter or miſtreſs, employed for inſtruction of the children, nor any nurſe, be deemed an officer or ſervant within this clauſe.

XXVII. *ſect.* 7. It ſhall be lawful for ſaid governors, or any eleven, upon the death, amotion, or reſignation of the treaſurer or regiſter, from time to time for ever hereafter, at the firſt or any other general aſſembly held after, to elect a perſon to ſucceed, at the ſalary, and ſubject to all the regulations, conditions, and proviſoes herein before and herein after contained, of and concerning the ſame reſpectively, and to make and ordain ſuch rules, ordinances, bye-laws, and other regulations, as any eleven or more ſhall judge neceſſary and expedient for the good government of ſaid foundling hoſpital and work-houſe, and maintenance, education, and ſupport of the children received or to be received therein, or ſent to nurſe, or as the ſame be not contrary to the laws and ſtatutes of this realm.

XXVIII. *ſect.* 8. All lands, tenements, and hereditaments belonging to the corporation, hereby to be diſſolved, either in poſſeſſion or reverſion, and all ſums of money, goods and chattles, debts and dues, and all right of action, of entry, rights, profits, properties, uſes, truſts, intereſts, poſſibilities, claims, and demands whatſoever, either in law or equity, which ſaid corporation ſhall in any ſort be intitled unto, ſeized or poſſeſſed of, on the 24th of June 1772, ſhall after the ſaid day be veſted in the ſaid governors hereby appointed, and their ſucceſſors for ever, for the uſe and ſupport of the ſaid foundling hoſpital and work-houſe, any law or ſtatute to the contrary notwithſtanding.

XXIX. *ſect.* 9. Said corporation created by this act, ſhall, after the 24th of June 1772, be ſubject and liable to all actions and ſuits, cauſes of actions and ſuits, claims and demands whatſoever, to which the ſaid corporation, hereby to be diſſolved, would have been in caſe this act not made; and all actions and ſuits brought or inſtituted either by or againſt the ſaid corporation hereby to be diſſolved, and depending on the ſaid 24th of June, may be continued and carried on by or againſt the ſaid corporation, hereby created, in the ſame manner as ſuch actions or ſuits might by or againſt the ſaid corporation, in caſe the ſame had not been diſſolved.

XXX. *ſect.*

XXX. *sect.* 10. Said governors shall have four general quarterly meetings every year, on every Monday next after the 24th of June, and next after the 29th of September, and next after the 25th of December, and next after the 25th of March, held at the said foundling hospital, that they or any eleven or more shall, at their general quarterly meeting or assembly, held the Monday immediately after the 24th of June in every year, constitute and appoint out of all the said governors, the number of fifteen or more, to be called the court of assistants; which persons so chosen, or any five or more, shall have full power and authority for one year, to meet together at such place and places, and as often as they shall think proper; and shall and may put in force and execution all the laws, rules, orders and regulations, made or ordained by said governors at any of their said quarterly or other general meetings or assemblies, wherein eleven at least present, and shall also execute the several matters hereby intrusted to them; and order summonses for calling a general assembly, so often as they shall see occasion; and the said court of assistants, or any five of them, shall, during one year, have full and absolute power and authority to inspect into and regulate the management of the said foundling hospital and work-house, and the children received therein, or sent to nurse.

4 quarterly meetings,

chuse court of assistants 15 or more,

for 1 year,

any 5 may act,

call a general assembly,

inspect and regulate.

XXXI. *sect.* 11. Provided, every rule or order by any general court of assembly shall be binding and conclusive to said court of assistants, and that they do not presume to suspend, invalidate, alter, or contradict the same, or any thing in this act contained.

Bound by orders of general court.

XXXII. *sect.* 12. All and singular arrears, and all right thereunto, are hereby vested in the governors appointed by this act, and their successors for ever, for use of the said foundling hospital and work-house; and every of the inhabitants in the said city and liberties, and also the tenants to the several lands, tenements, and hereditaments, that have been granted to or belong to the said corporation, and also every person indebted or in arrear for or on account of coaches, chaises, chairs, drays, carts, cars, and other carriages and sedans, who have not duly paid the several sums of money, which they were respectively obliged to pay pursuant to said recited acts, or by any lease, minute, contract, or agreement, or licence, do pay the same to persons, who by said governors, or any eleven, shall from time to time be appointed at any general assembly to collect the same; and such persons shall have full and absolute power and authority to receive all such arrears, or to sue for and recover the same by distress or any other ways or methods in as full and ample a manner, as the same could or might have been sued for and recovered by the said recited act, or any of them; and the said arrears, or so much thereof as shall be collected and received, shall be applied and disposed of in the first place for payment of such debts, as have or shall have been *bona fide* contracted by the governors appointed by the before recited acts, or any of them, in the management and support of said house; and the overplus, if any, shall be applied in such manner, and to such uses of the foundling hospital or work-house, as the governors thereof, eleven at least present, shall direct and appoint at any general assembly, and such persons appointed to collect and receive said arrears, or all or any of the funds hereby intended for use of the said house, and maintenance, education, and support of the children, shall give receipts under their hands for all such sums as by them shall be collected; which receipt shall be a sufficient and legal discharge to the persons so obtaining the same.

Arrears vested in the governors.

paid to persons appointed by 12 at general assembly,

applied first to debts,

overplus as by 11 at general assembly,

receipts by such persons a discharge.

Account on oath, 11 present.

XXXIII. *sect.* 13. The treasurer, and all persons who shall be intrusted with the receipt or disbursement of the revenue of the corporation, or any part, and all other persons whatsoever who shall account with said corporation, eleven of the governors at least being present, for any sums collected, received, or disbursed for use of said corporation, shall account on oath before said governors, and also, for

all diſburſements or payments, if required; which oaths ſaid governors, or any eleven, are hereby impowered to adminiſter.

No vagabonds or beggars in the houſe with children, but ſent to bridewell, &c.

XXXIV. *ſect.* 14. No vagabond or ſtroling beggar ſhall be ſent into the ſame houſe, or kept within the ſame walls with the children hereby intended to be provided for; but every ſuch perſon, who may be apprehended in purſuance of this act, ſhall be ſent to bridewell, or to ſuch other place as the ſaid governors, or any eleven, ſhall think fit to appoint within ſaid city or liberties, ſeparate, diſtinct, and apart from the ſaid children; and ſaid vagabonds and ſtroling beggars ſhall be maintained and ſet to work at the expence of ſaid corporation out of the revenue hereby granted; and the ſaid governors, or any eleven, are hereby impowered and directed to make ſuch rules and orders for the relieving, regulating, and ſetting to work, and for good and proper management of ſuch vagabonds and ſtroling beggars, and of the perſons neceſſary to attend and overſee, as to them ſhall ſeem proper, and to provide ſuch neceſſaries and materials as they ſhall think convenient for ſetting ſuch vagabonds and beggars at work; and alſo to apply the produce, and the benefit that may ariſe from ſale thereof, in aid of their revenues to uſe of the hoſpital and work-houſe.

maintained and ſent to work out of the revenue, granted, rules and orders for managing and neceſſaries,

produce in aid of the revenues.

Puniſhed for not conforming to rules.

XXXV. *ſect.* 15. Said governors, or any eleven, and ſaid court of aſſiſtants, or any five, ſhall have power to inflict reaſonable puniſhment or correction from time to time on any vagabond, beggar, or poor perſon within the ſaid bridewell, or other place of confinement, who ſhall not conform to ſuch rules and regulations ſo made.

Apprehended by any governor or juſtice for the city, beadle or conſtable, or a pariſhioner, &c. with their aſſiſtance may bring before any governor or juſtice, if found begging, &c.

XXXVI. *ſect.* 16. Said governors, and every of them, and any juſtice of the peace for ſaid city, ſhall have full power to apprehend all idle or poor people begging or ſeeking relief, and all vagabonds, and ſturdy and ſtroling beggars within ſaid city or the ſuburbs or liberties: and every beadle or bellower of every pariſh within ſaid city, and ſuburbs, or liberties, and every conſtable within their reſpective diſtricts or juriſdictions, ſhall be hereby required and impowered, and every pariſhioner or inhabitant in any of the pariſhes aforeſaid, or any other perſon whatſoever, calling to aſſiſtance the beadle of the pariſh, or a conſtable, ſhall have full power and authority to ſeize and apprehend, and bring before any one of ſaid governors, or any one of his majeſty's juſtices of the ſaid city, any ſturdy ſtroling beggar, or other idle vagabond that they ſhall know, find, or be informed of, to be begging, ſtroling in, or frequenting in any of the ſtreets, houſes, or other places within ſaid city, ſuburbs or liberties; and the ſaid governor, or juſtice, is hereby impowered and required by warrant under hand and ſeal, (which warrant every beadle, bellower, and conſtable within ſaid city, ſuburbs, or liberties, is required to execute, and be aiding and aſſiſting in the execution of) to commit ſaid perſons, ſo apprehended, upon view, or brought before him or them, or any of them, to bridewell, or other place appointed, there to be confined and kept to hard labour, as he ſhall think fit to direct in ſaid warrant, until the next general court of aſſembly; and ſuch court of aſſembly, not leſs, than eleven preſent, if they ſhall ſee ſufficient cauſe ſhall and may confine ſuch ſturdy ſtroling beggars, idle vagabond, or other perſon ſo committed, for any term, not longer than three years, there to be kept to hard labour, or otherwiſe uſefully employed, as they ſhall ſee cauſe, and ſhall order and direct; and if any beadle or bellower, or conſtable, ſhall, when called or ſent for by any pariſhioner or inhabitant aforeſaid, or other perſon neglect, or refuſe to ſeize, apprehend, and bring before any one of ſaid governors, or juſtices, any ſturdy beggar, or other idle vagabond found begging, ſtroling, or frequenting in any of the ſtreets or houſes within ſaid city and ſuburbs, or liberties, or ſhall otherwiſe be negligent or offend contrary to the intent and meaning of this act,

ſent to bridewell on warrant, kept to hard labour till next general aſſembly,

confined not above 3 years,

beadle, &c. neglecting forfeits 20s. to the uſe of the houſe,

act, ſuch beadle, &c. ſo offending, ſhall for every ſuch offence upon conviction thereof in a ſummary way by the oath of any one credible perſon before any general aſſembly, or court of aſſiſtants, or any five, forfeit and pay to the ſaid governors for the uſe of the ſaid houſe the full ſum of twenty ſhillings, to be recovered, in caſe of non-payment by diſtreſs and ſale of goods and chattles of the offender, by warrant under hands and ſeals of ſaid governors, or any eleven preſent at any ſuch general court of aſſembly, or of ſaid court of aſſiſtants; and in caſe ſuch beadle, &c. ſhall not be able to pay, or ſhall not pay, the fine impoſed, ſubject to like pains and penalties, as by this act impoſed upon any vagabonds or beggars.

on conviction ſummarily,

by diſtreſs and ſale;

on nonpayment puniſhed as vagabonds.

XXXVII. *ſect.* 17. All poor children under the age of ſix years, found or taken up within ſaid city and liberties, or ſent to the foundling hoſpital, ſhall be received and kept therein, or ſent to nurſe therefrom; and all children, who ſhall appear to be ſix years old, and whoſe age ſhall not be thought to exceed eight, and ſhall be preſented to ſaid governors, eleven at leaſt preſent, or to ſaid court of aſſiſtants, or any five, to be received or admitted into ſaid houſe, ſhall be by them received, provided there ſhall be proper room in the ſaid houſe, and provided ſuch children appear ſound in mind and body.

Poor children under 6 found or ſent, ſhall be received or ſent to nurſe,

all not above 8 preſented to 11 governors or 5 aſſiſtants, admitted if room, and ſound in mind and body.

XXXVIII. *ſect.* 18. All children ſo received, ſhall, as ſoon as capable, be thoroughly inſtructed in the principles of the proteſtant religion, as by law eſtabliſhed, and taught to read, write, and caſt accounts, and alſo inſtructed in ſuch other uſeful matters, as the ſaid governors, or any eleven, ſhall think proper, and may tend to increaſe the fund for ſupport of ſaid houſe.

Inſtructed in religion, to read, &c. and other uſeful matters.

XXXIX. *ſect.* 19. Said governors ſhall from time to time, eleven at leaſt preſent, or ſaid court of aſſiſtants, five preſent, place out apprentices by proper indentures, containing uſual, legal, and reaſonable covenants, ſuch and ſo many of the ſaid children as they ſhall think proper, to perſons of the proteſtant religion, following or profeſſing any art, trade, myſtery, or calling, or to ſeafaring men, or to gentlemen or houſe-keepers for ſervants, for any term not exceeding ſeven years; in every which indenture ſhall be contained a covenant, that every child ſo apprenticed, ſhall be inſtructed, educated, and brought up during his apprenticehood in the proteſtant religion.

Placed out apprentices from time to time to proteſtant tradeſmen, ſeafaring, or houſe-keepers for ſervants, not above 7 years; covenant in indenture to educate proteſtants.

XL. *ſect.* 20. And whereas it will be neceſſary alſo to entertain a great number of nurſes, or other attendants, ſaid governors, eleven at leaſt preſent, or ſaid court of aſſiſtants, or any five, ſhall have full power and authority, by warrant under hands and ſeals, to commit ſuch perſon, upon conviction by the oath of one credible witneſs, (which oath ſaid governors, or any five of them are hereby impowered to adminiſter) that he, ſhe, or they have been diſorderly or guilty of petty frauds in ſaid houſe, to bridewell, there to be kept to hard labour for any time not exceeding fourteen days.

Nurſes and attendants for diſorder or petty frauds to Bridewell 14 days.

XLI. *ſect.* 21. Said governors, eleven at leaſt preſent, ſhall have power and authority, and are required, under their common ſeal, after the 24th of June, 1772, from time to time, and at all times for ever thereafter, to licenſe all ſuch perſons, as ſhall own, keep, or drive any hackney-coach, landau, chariot, poſt-chaiſe, or berlin, or other carriage drawn by two or more horſes or other beaſts plying in the ſtreets, and carrying for hire, any perſon or perſons within ſaid city, ſuburbs and liberties, or from any part to any place not exceeding the diſtance of ſeven miles, or plying as a ſtage from ſaid city or liberties, to any place not exceeding the diſtance of ſeven miles; and alſo all ſuch perſons as ſhall own, keep, drive, or let out for hire within ſaid city, ſuburbs, and liberties, by the day, week, month, year, or otherwiſe, any coach, or other carriages drawn by two or more horſes, or other beaſts, in the way of job, for the ſole uſe of particular perſons within the

11 to grant licences for hackney-coaches or for hire in the ſtreets or 7 miles;

or job coaches, or horſes;

ſaid

said city, suburbs, or liberties, and which shall not ply for public convenience, and also all such persons as shall own, keep, drive, or let out for hire, within the said city, suburbs, or liberties, any horse or horses, or other beasts, to draw any coach, &c. in the way of job; and also all such persons as shall own, keep, drive, or let out for hire, any hearse or mourning coach; and also all such persons who shall own, keep, drive, or carry any hackney chair, or sedan, within said city, suburbs, or liberties, or any Ringsend car, chair, chair, chaise-marine, or other carriage drawn by one or more horses, or other beasts, for the use of carrying for hire any person within said city, suburbs, or liberties, or within seven miles, or shall own, keep, or drive any cart, car, dray, or other carriage plying and carrying for hire any load taken up within the said city, suburbs, and liberties, or belonging to any brewer, and employed in that business, or within three miles thereof, or any cart, car, or other carriage that shall bring, carry, or draw into said city or liberties, be it for hire or sale, or otherwise, any bricks, stones, sand, gravel, lime, or other materials employed or made use of in building, or paving, or any private cart, car, dray, or other carriage set up by any person residing within said city, suburbs, or liberties, and employed in the carriage of goods or commodities, which such person shall have on commission, or shall have sold; and all such persons who shall keep or use within said city, suburbs, or liberties, any private chair, or sedan, for his or her own use; or any person who shall ply within said city, suburbs, or liberties, as a messenger or porter, or carry any goods or merchandizes for hire within the same.

hearse or mourning coaches;

sedans,

Ringsend cars, &c.

carts, drays, &c. brewers,

within 3 miles,

with building or paving materials, for hire or sale,

private carriages for goods on commission;

private chair or sedan;

plying as messengers or porters.

XLII. *sect.* 22. The number of all common hackney coaches, landaus, chariots, post-chaises, or berlins, so licensed, shall not exceed three hundred; and the number of common sedan chairs licensed, not to exceed four hundred; and for every licence for every hackney coach, job coach, or other carriage drawn by two or more horses, or any other beasts, and carrying for hire any person within the said city, suburbs and liberties, and for every coach or other carriage drawn by one or more job-horse or horses, and for every hearse and mourning coach, there shall be paid to said governors, or their officer appointed under their common seal, the sum of five pounds, by way of fine for such licence; and for every licence for every hackney chair or sedan, job-chair or sedan, ten shillings; and for every licence for every Ringsend car, chair, chaise-marine, or other carriage drawn by one horse or other beast, and plying and carrying for hire, any person within said city, suburbs, and liberties, thirty shillings; and for every dray, or other carriage belonging to a brewer, and employed in that business in said city, suburbs, and liberties, or within three miles thereof, and for every cart and car, usually plying and delivering for hire in said city and liberties, any goods, merchandizes, or other load taken up within said city and liberties, twenty shillings, by way of fine, for such licence; and for every cart, car, or other carriage drawn by more than one horse or other beast than one, and employed in drawing into the said city and liberties any bricks, stones, sand, gravel, lime, or other material usually employed and made use of in building or paving, be the same for hire or sale *or* otherwise, the sum of twenty shillings, and drawn only by one horse, or other beast, and employed as aforesaid, be the same for hire or sale, or otherwise, the sum of ten shillings; and for every private car, cart, dray, or other carriage set up or kept by any person residing within said city, suburbs, or liberties, and employed in carriage of malt, corn, meal, flour, salt, or any goods or commodities which such person shall have on commission, and in the carriage and delivery of any goods or commodities sold by such persons, the sum of twenty shillings; and for every private sedan chair kept or used by any person for his or her own use, five shillings; and for every person who shall ply as a messenger or porter for hire, five shillings, before such licences

Hackney coaches 300; sedans 400;

for hackneys, jobs, hearse, or mourning coach 5l. for licence;

sedans 10s.

Ringsend cars, &c. 30s.

Brewer's drays, &c. and loaded cars, &c. with goods, 20s.

drawing building or paving materials 20s. if with one horse only 10s.

private carriages for goods on commission, &c. 20s.

private sedans, 5s

messengers or porters, 5s.

cences ſhall be granted reſpectively and delivered; and the ſaid ſeveral licences, ſhall and may be granted after payment of the fines, for any term not exceeding twenty-one years; and ſhall be transferable or deviſeable by the parties, to whom granted, their executors, adminiſtrators, and aſſigns, in manner after mentioned, and under the rents and covenants contained in the deeds or inſtruments granting ſuch licence reſpectively.

licences 21 years; transferable or deviſeable.

XLIII. *ſect.* 23. Upon every of the ſaid licences for every hackney coach, landau, chariot, poſt chaiſe, or berlin, job-coach, &c. coach, &c. drawn by one or more job horſes; and every hearſe and mourning coach, there ſhall be reſerved and made payable to ſaid governors and ſucceſſors, the yearly rent or ſum of forty ſhillings; and for every common chair, or ſedan, job-chair, or ſedan, ten ſhillings; and for every private ſedan chair, ten ſhillings; every Ringſend car, chair, chaiſe, or chaiſe-marine, ten ſhillings; for every brewers dray, cart, or car, the yearly rent or ſum of twenty ſhillings; and for every other cart and car, uſually plying and delivering for hire, within the ſaid city, ſuburbs, and liberties, any goods, merchandize, or other load taken up within the ſaid city and liberties, the yearly rent or ſum of ten ſhillings, every car, cart or other carriage that ſhall be employed in drawing into the ſaid city or liberties, any bricks, ſtones, ſand, gravel, lime, or other material uſually made uſe of in building or paving, there ſhall be paid, if drawn by more than one horſe or other beaſt, the yearly rent or ſum of ten ſhillings, and if only by one horſe or other beaſt, five ſhillings; for every private car, cart, dray, or other carriage kept and employed as aforeſaid in the carriage of goods or commodities as aforeſaid, the yearly rent or ſum of ten ſhillings; and for every perſon thereby impowered to ply as a meſſenger or porter the yearly rent or ſum of four ſhillings; the ſaid ſeveral rents paid quarterly, at the four uſual days of payment every year, viz. every twenty-ninth of September, twenty-fifth of December, twenty-fifth of March, and twenty-fourth of June, with ſuch covenants, conditions, and proviſoes therein inſerted, for the more effectual payment thereof, or better regulations of the perſons receiving ſuch licence, and their aſſigns reſpectively, as the ſaid governors or any eleven ſhall think fit.

Hackneys, jobs, hearſes and mourning coaches, 40s. yearly; ſedans 10s. Ringſend cars, &c. 10s. brewers 20s. other carts and cars plying and delivering loads 10s. drawing building or paving materials 10s. if only one horſe 5s. private carriage for goods, &c. 10s. meſſenger or porter 4s. paid quarterly, with covenants and conditions as by 11 governors thought fit.

XLIV. *ſect.* 24. After the 24th of June, 1772, no perſons who is or hereafter may be poſſeſſed of any licences, ſhall transfer or aſſign the ſame, except by deviſe, without conſent and approbation of ſaid governors, or any eleven, or the court of aſſiſtants, firſt had and obtained for; but every ſuch aſſignment or transfer ſhall be indorſed upon the back of the deed granting ſaid licence, and ſigned by two or more of ſaid governors ſo conſenting, and if any perſon or perſons ſhall preſume to transfer or aſſign any licence contrary to the true intent and meaning hereof, ſuch transfer or aſſignment ſhall be null and void, and the licence thereby aſſigned, forfeited to ſaid governors.

Licence, except by deviſe, not transferred without conſent; indorſed on the deed and ſigned by 2 governors, or void.

XLV. *ſect.* 25. An entry ſhall be made of every grant, aſſignment, transfer, deviſe of, or change of property, in every ſuch licence, in a numerical book or books, kept by the regiſter for that purpoſe, within one month after; which entry ſhall be ſigned by, or have the mark of every ſuch grantee, aſſignee, deviſee, or perſon poſſeſſed of the ſame, put thereunto, in the preſence of the ſaid regiſter, who ſhall counter-ſign the ſame, and be made in the following words.

Transfer or deviſe regiſtered in a month, ſigned by grantee and regiſter.

A. B. *of* *in the city of Dublin, or liberty of* *doth regiſter a grant, aſſignment, or deviſe (as the caſe ſhall happen to be) of a licence to keep* No. *dated the* *day of* *one thouſand ſeven hundred and* *made unto him by* *entered this* *day of* *one thouſand ſeven hundred and*

Regiſtry.

For

6d. fee; books inſpected without fee: on dying inteſtate.

For the making of which entry, ſix-pence, and no more, ſhall be paid to ſaid regiſter; to which book and books every perſon concerned ſhall have free acceſs to inſpect at all times without fee or reward: and where any perſon ſhall have obtained poſſeſſion of any ſuch licence by means of the right to the poſſeſſion thereof having devolved upon him by death of any perſon, to whom the ſame was granted, deviſed, or transferred, in manner herein mentioned, inteſtate, then the words *a grant, aſſignment or deviſe of* and alſo the words *dated the day of one thouſand ſeven hundred and made unto him by* ſhall be omitted, and inſtead of theſe latter words ſhall be inſerted *which came unto him by the death of inteſtate.* And in caſe no ſuch entry ſhall be made within one month after ſuch grant, deviſe, aſſignment, or change of property, every ſuch grantee, deviſee, or aſſignee, or perſon poſſeſſed of and uſing the ſame, ſhall upon ſuch failure forfeit the full ſum of one year's rent contained in and reſerved by ſaid licence, to be recovered and diſpoſed of as is herein after mentioned; and in caſe no ſuch entry made within three months, then every ſuch grant, deviſe, or aſſignment ſhall be null and void; and every ſuch licence forfeited to ſaid governors.

If no entry in 1 month 1 year's rent forfeited;

if not in 3, void, and licence forfeited.

Arrears firſt diſcharged.

XLVI. *ſect.* 26. No ſuch conſent or approbation ſhall be given, nor entry made, until all arrears due upon ſaid licence firſt paid off and diſcharged.

Hackneys, jobs, hearſe, or mourning coaches without licence, 10l. each offence;

XLVII. *ſect.* 27. After the 24th of June, 1772, no perſon ſhall preſume to own, keep, or drive any hackney coach, landau, chariot, poſt chaiſe, berlin, job-coach, &c. or any other carriage drawn by two or more beaſts, and carrying for hire by the hour, day, week, month, or year, or any other ſpace of time, any perſon, or to own, keep, drive, or let out to hire any beaſt or beaſts to draw any coach, landau, chariot, poſt chaiſe, or berlin, in the way of job, or any hearſe, or mourning coach within the ſaid city, ſuburbs, or liberties, without ſuch licence firſt obtained from ſaid governors as aforeſaid, under the penalty of ten pounds for each and every ſuch offence; or to own, keep, or carry, within the ſaid city and liberties, any hackney chair, or ſedan, job-chair, or ſedan, without ſuch licence firſt obtained, under the penalty of five pounds every offence; or to keep or uſe any private chair or ſedan without ſuch licence as aforeſaid, under the penalty of twenty pounds for every ſuch offence; or to own, keep, or drive any Ringſend car, chair, chaiſe, or chaiſe-marine, without ſuch licence, under penalty of forty ſhillings every offence; or to own, keep, or drive, any dray, cart, car, or other carriage employed in the buſineſs of a brewer, in the ſaid city, ſuburbs and liberties, or within three miles thereof, without ſuch licence, under penalty of thirty ſhillings every offence; or any other cart or car, dray, or other carriage, for which a licence is directed by this act to be taken out, without ſuch licence firſt obtained, under the penalty of twenty ſhillings every offence; or to ply as a meſſenger or porter, for hire, within ſaid city, ſuburbs, or liberties, without ſuch licence, under the penalty of five ſhillings for every ſuch offence; which ſaid reſpective penalties are to be recovered and diſpoſed of, as herein after directed.

ſedans, 5l.

Ringſend cars, &c. 40s.

brewer's dray, &c. 30s.

other carriages 20s.

meſſenger or porter 5s.

If without licence, ſeiſed, by any perſon,

XLVIII. *ſect.* 28. Every hackney coach, landau, chariot, poſt chaiſe, or berlin, job-coach, &c. and coach, &c. drawn by one or more job-horſes, hearſe, mourning coach, or hackney chair, or ſedan, job-chair or ſedan, Ringſend car, chair, chaiſe, or chaiſe-marine, and every dray, cart, car, or other carriage, ſubject to a fine for a licence, by this act, and found plying for hire, or employed contrary to the intent and meaning of this act, within ſaid city, ſuburbs, and liberties without ſuch licence firſt obtained; and every private chair or ſedan in uſe or employment, or keeping, without ſuch licence firſt obtained; and alſo every brewer's dray, cart, car, or other carriage, found in ſaid city, ſuburbs, and liberties, or within three

miles

miles, and employed in that buſineſs, without ſuch licence firſt obtained, whereby the owners, keepers, carrier or driver ſhall have incurred any of the penalties aforeſaid, ſhall be ſeized; and it ſhall be lawful for any perſon to ſeize ſuch carriage, chair, or ſedan, and the ſame, together with the horſe, horſes, or other beaſt or beaſts, drawing, with all the harneſs and accoutrements thereunto belonging, to lodge in the yard of ſaid work-houſe with the treaſurer, or in his abſence, with ſome other known officer of ſaid houſe; or in ſome other convenient place; or the ſame to deliver to any beadle or bellower of any pariſh within the city, ſuburbs, or liberties, or to any conſtable therein, who is hereby required forthwith, to lodge the ſame in manner aforeſaid; and the ſaid treaſurer, or in his abſence ſuch other officer of the ſaid houſe is hereby required to detain the ſame, unleſs the ſaid ſeveral penalties for the ſaid reſpective carriages, chairs, or ſedans, ſhall be paid with all coſts and charges attending the ſeizing, or the maintenance of any beaſt or beaſts drawing, until the court of aſſiſtants, or any five or more, meet, who are hereby impowered to inquire into ſaid matters, and examine all ſuch perſons, as they ſhall think proper, upon oath, which they are hereby impowered to adminiſter; and if it ſhall appear that ſuch carriage, chair, or ſedan, has incurred any of the penalties or forfeitures aforeſaid, the ſaid court of aſſiſtants, or any five, ſhall, by warrant under hands and ſeals, direct the treaſurer or other officer to ſell ſuch carriages and harneſs, and accoutrements, with the horſes or other beaſts ſeized and lodged; or, if the ſaid carriage be not a hackney or job-carriage, but that one or more of the horſes drawing the ſame be a job-horſe or horſes, then to ſell ſuch job-horſe or horſes, with the harneſs, and to ſell any ſuch ſedan; and by ſuch ſale to raiſe ſaid penalties, together with the coſts and charges attending the ſeizing, and the maintenance of any beaſt drawing the ſame, and a ſum of after the rate of one ſhilling in the pound, of every ſuch penalty for his trouble in ſelling, unleſs ſaid penalties, with ſaid coſts and charges fully paid within three days from the date of ſaid warrant.

and with horſes and harneſs lodged with treaſurer or known officer, or ſome convenient place; or beadle or conſtable to be ſo lodged forthwith; detained till payment with coſts,

until aſſiſtants meet,

inquired on oath; penalties with charges raiſed by ſale on warrant of aſſiſtants;

and 1 s. *per* pound,

unleſs paid in 3 days.

XLIX. *ſect.* 29. And if any perſon ſhall hinder or obſtruct the ſeizing or conweying to, or loading as aforeſaid, any ſuch carriage and harneſs, accoutrements, or the horſe, horſes, or other beaſt or beaſts drawing the ſame, or any ſuch ſedan; or if the ſaid treaſurer, or other officer, after ſuch carriages, horſes, or other beaſts, or ſedan chair ſhall be ſeized, ſhall be obſtructed in the ſale, when authorized, or if any perſon uſe or offer any violence to the perſon concerned in making ſuch ſeizure, or ſale, or reſcue, or attempt to reſcue, any ſuch ſeizure, every ſuch perſon ſhall, upon conviction before any juſtice for ſaid city, upon the oath of one credible perſon, (which oath ſuch juſtice is hereby impowered to adminiſter) forfeit for every ſuch offence five pounds; and for non-payment be committed to gaol, and there impriſoned three months and no longer.

Obſtructing ſeiſure, or ſale;

reſcue, or atempt,

on one witneſs before a juſtice,

5 l. or impriſoned 3 months.

L. *ſect.* 30. Upon complaint made, and it appearing to the lord mayor, the ſheriffs of the city of Dublin, or any juſtice of the city or county, (who ſhall examine on oath the perſons ſo complaining, if he thinks proper) that any hindrance or obſtruction has been, or any violence uſed as aforeſoid, or reſcue intended or attempted, the ſaid lord mayor, &c. are hereby not only impowered, but required immediately to give the fulleſt aſſiſtance of the civil power, which by law they are hereby enabled to do on any occaſion whatſoever, to the end that ſuch carriages, horſes, or other beaſts, or ſedan chair, may be ſeized, lodged, and ſold, as hereby is particularly and reſpectively directed.

On complaint lord mayor, ſheriffs, or juſtice immediately to aſſiſt with the civil power.

LI. *ſect.* 31. If ſaid governors, or any eleven, or the court of aſſiſtants, or any five, ſhall at any time be informed, or have reaſon to believe, that any carriage, chair, or ſedan has plyed, or been drawn, carried, uſed, kept, or employed within

11 governors or 5 aſſiſtants may on ſuſpicion ſummon, and inquire,

the ſaid city, ſuburbs, or liberties, without licence, contrary to the intent and meaning of this act, it ſhall be lawful to ſummon all perſons, whom they ſhall ſuſpect to be guilty of any of ſaid offences, and to enquire thereunto in manner aforeſaid; and in caſe ſuch perſons ſhall not appear on the day appointed, provided the ſaid ſummons left four days before the ſaid day at their uſual place of abode, or they ſhall have been perſonally ſerved therewith, or ſhall be convicted of any of the ſaid offences before the court of aſſiſtants, or any five, then, by warrant under hands and ſeals, to commit ſuch perſon to bridewell, or any other place they ſhall think proper, there to be kept to hard labour until he, ſhe, or they ſhall pay the penalty incurred by this act, and ſhall alſo pay to the perſon or perſons informing of ſaid offence, forty ſhillings, over and above ſaid penalties.

not appearing on ſervice of ſummons 4 days or perſonal, or on conviction, committed to bridewell, &c. 'till penalty paid, and 40s. to informer.

LII. *ſect.* 32. Every perſon, who ſhall ply as a meſſenger or porter for hire within ſaid city, ſuburbs, or liberties, without ſuch licence, ſhall and may be ſeized, apprehended, committed, and puniſhed, in the ſame manner as hereby enacted in reſpect to idle or ſtrolling vagabonds or beggars.

Meſſengers or porters without licence puniſhed as vagabonds.

LIII. *ſect.* 33. Every carriage and ſedan chair, for which a licence is by this act to be obtained, ſhall have a mark of diſtinction, expreſſing the number of ſuch carriage, affixed thereunto, in whatever manner ſaid governors, or eleven, or court of aſſiſtants, or any five ſhall think proper; ſo that ſuch mark of diſtinction on all hackney carriages or ſedan chairs for the publick uſe ſhall be moſt conſpicuous; and that ſuch mark of diſtinction on all job or other carriages, or ſedan chairs for the uſe of particular private perſons, ſhall be put on in a more private and leſs conſpicuous manner: and every haekney coach, landau, poſt chaiſe, chariot, and berlin, or ſtage coach, for which a licence is by this act to be obtained, ſhall conſtantly, and at all times, beſides the mark or number aforeſaid, have painted on the pannel of each door, and on the front and rere pannel, and every Ringſend car, chair, chaiſe, or chaiſe-marine, on the rere pannel where arms or cyphers are uſually painted, the chriſtian and ſir-name of the real owner or keeper thereof, at full length, together with the place of his abode, in plain, large, legible letters; and ſhall alſo on each of the ſide pannels where creſts are uſually painted, have painted in plain, legible figures, the number contained in the mark aforeſaid. And every perſon, who ſhall blot out, deface, change, or take off the ſaid mark of diſtinction or figure on the ſaid painting, or any of ſaid letters, names, or figures, or ſhall omit to affix ſuch mark, or to have the pannels painted in manner aforeſaid; or ſhall own, keep, drive, or employ any carriage, chair, or chaiſe, or ſedan, without ſuch mark, and without ſuch painting on the pannels, where by this act required, ſhall be conſidered to all intents and purpoſes as having owned, kept, uſed, driven, or employed the ſame without a licence; and be ſubject to the ſeveral penalties, forfeitures, and puniſhments hereby enacted for ſuch offences reſpectively.

Such carriages and chairs numbered,

moſt conſpicuous on hackneys and ſedans for publick uſe:

hackneys or ſtages alſo to paint on the pannels, and Ringſend cars, &c. on the rere pannel real owner's name at length and abode, and the number on ſide pannels, in figures.

If defaced, or omitted, ſubject as if without licence.

LIV. *ſect.* 34. Every perſon, required to obtain a licence for plying as a meſſenger or porter for hire, ſhall have a mark affixed to his upper garment over his breaſt, made of braſs, and expreſſing in plain legible characters the number of ſuch licence, formed and to be worn in ſuch manner as ſaid governors, or any eleven, or the court of aſſiſtants, or any five, ſhall direct; and for failure thereof either in obliterating, covering, or defacing, or not at all times wearing and expoſing to view ſaid mark in manner aforeſaid, deemed as acting without a licence, and ſubject to every pain and penalty inflicted by this act for ſuch offence.

Meſſenger or porter to have the number marked on the breaſt;

or deemed acting without licence.

LV. *ſect.* 35. Every perſon, who ſhall obtain or receive a licence for keeping a hackney coach, carriage, or hackney ſedan chair, for public uſe, and ſhall not within one month after, keep and maintain in conſequence of ſuch licence for the uſe and convenience of the public, and continue ſo to do during the continuance of

his

his or her licence, and thereof be convicted by the oath of one credible witneſs, before the ſaid governors, or any eleven, or court of aſſiſtants, or any five (which oath they are hereby impowered to adminiſter) ſhall forfeit five pounds for every ſuch neglect; to be recovered by diſtreſs and ſale of the offenders goods, by warrant under hands and ſeals, and to be diſpoſed of in manner herein after directed.

Not keeping and continuing hackneys after and during licence, penalty 5l.

LVI. *ſect.* 36. In caſe any perſons ſo offending ſhall ſurrender his licence to the ſaid governors, ſaid fine or penalty not levied.

Unleſs licence ſurrendered.

LVII. *ſect.* 37. No perſon or perſons ſhall have at any one time in name, or in the name of any other in truſt for them, more than two ſuch licenced hackney or job-chairs, or ſedan; and in caſe ſaid governors, or any eleven, or court of aſſiſtants, or any five, ſhall be informed or have reaſon to ſuſpect, that any have therein offended, they may ſummon ſuch perſons to appear before them at the time and place in ſuch ſummons mentioned; and in caſe ſuch perſons after ſuch ſummons, ſo as the ſame be ſerved perſonally, or at place of abode, twenty-four hours before the time appointed, ſhall neglect to appear, without ſome reaſonable cauſe, or if after appearance it ſhall be found by confeſſion, or oath of one or more credible witneſſes, or other due proof, that ſuch perſons have ſo offended (which oath ſaid governors, or any eleven, or court of aſſiſtants, or any five, have hereby power to adminiſter) every perſon ſo offending, ſhall forfeit all the licences for chairs or ſedans granted to them by this act, or which he, ſhe, or they ſhall be intitled unto by deviſe, aſſignment, or otherwiſe; and ſuch licences are hereby declared null and void to all intents and purpoſes.

None to have more than two hackney chairs, ſummoned on ſuſpicion;

not appearing on 24 hours ſervice, unleſs cauſe,

or on confeſſion or proof,

all licences forfeited.

LVIII. *ſect.* 38. And for recovery of the rent reſerved upon ſaid licences, in caſe the ſame, or any part ſhall be in arrear twenty-one days after any of the days appointed for payment, ſaid governors, or any eleven, or court of aſſiſtants, or any five, may raiſe and levy the ſame by diſtreſs and ſale of the goods and chattles of the owner, proprietor, or grantee, or aſſignee of ſuch licence, by warrant under hands and ſeals; and in caſe the ſame ſhall be unpaid by thirty-one days, may commit the owner, &c. to gaol, or any other place, there to be detained and confined until the ſame, and all coſts attending the non-payment, be fully paid and ſatisfied; and in caſe the ſame ſhall be unpaid forty-one days, then the ſaid licence or licences ſhall be forfeited, and become null and void: and before a new licence can or ſhall be granted to ſuch perſon ſo neglecting, he, ſhe, or they ſhall pay not only all arrears of rent due at the time of forfeiting ſuch licence, but alſo pay for ſuch new licence or licences one fourth more, than was paid for the licence or licences ſo forfeited.

Rent in arrear 21 days levied by diſtreſs and ſale,

if 31 days confined till payment with coſts,

if 41 days, licence forfeited: before new licence all arrears paid and 1 fourth more than former.

LIX. *ſect.* 39. Nothing herein contained ſhall prevent ſaid governors from proceeding againſt the owner or proprietors of any carriages forfeiting his licence for recovery of all arrears of rent, by the remedies herein before mentioned, or otherwiſe: and may, if they think proper, refuſe to grant a new licence or licences to any perſon, who ſhall have forfeited any licence granted by this act.

Governors may proceed to recover arrears:

and refuſe new licence.

LX. *ſect.* 40. It ſhall be lawful for ſaid governors, or any twenty-one, in caſe they ſee occaſion, from time to time, and at any time after five years, from the 24th of June, 1772, to alter and increaſe the fines to be paid, or the rents to be reſerved upon the licences to be thereafter granted, provided the ſame be not increaſed above one fourth part more than the fines and rents herein before particularly mentioned and expreſſed, and to make ſuch rules, orders, and regulations for that purpoſe, as to them ſhall ſeem meet, and to alter, vary, amend, or annul the ſame.

21 governors may after 5 years increaſe fines and rents,

ſo as not above 1 fourth,

and alter or annul.

Approved by lord chancellor and chief judges.

LXI. *ſect.* 41. Every ſuch alteration, variation, rule, order, regulation, amendment, or repeal, approved of by the lord chancellor, or lords commiſſioners of great ſeal, and the chief judges, or any three.

The city divided into wards for aſcertaining fares;

LXII. *ſect.* 42. The city of Dublin and ſuburbs, and liberties thereof, for the purpoſe of directing and aſcertaining the rates and fares to be taken by ſuch carriages, chairs, or ſedans, and for no other purpoſe whatſoever, divided in manner following; ſo much thereof, as is contained within the following bounds or circuit, drawn from the Old Bridge up Church-ſtreet as far as Channel-row, now called Brunſwick-ſtreet, ſo weſterly round Stoney-batter, Arbor-hill, the barracks, as far as the public lamps go to the river Liffey, and along that river to the ſaid Old-bridge, be one diviſion, and called The Barrack Quarter; and ſo much, as is contained within the following bounds or circuit, drawn from the Old-bridge, through Bridge-ſtreet, New-row, part of Thomas-ſtreet, Francis-ſtreet, through New-row on the Poddle, through Mill-ſtreet, and ſo round north-weſt as far as the publick lamps go to the river Liffey, and along that river to the Old-bridge, be one other diviſion, and called The Workhouſe Quarter; and ſo much, as is contained within the following bounds or circuit, drawn from the river Liffey up lower and middle Liffey-ſtreet, through Denmark-ſtreet, formerly called upper Liffey-ſtreet, into Great-Britain-ſtreet, through Rider's-row to Dorſet-ſtreet, taking in Henrietta-ſtreet, and along Dorſet-ſtreet, and down eaſterly as far as the public lamps go, to the river Liffey, be one other diviſion, and called The Rotunda Quarter; and ſo much, as is contained within the following bounds or circuit, drawn from the river Liffey oppoſite Angleſea-ſtreet, through Angleſea-ſtreet acroſs College-green, through Trinity-lane, Hog-hill, now called ſaint Andrew's-ſtreet, William-ſtreet, adjoining Mercer's-hoſpital, through Love-lane, now called Mercer's-ſtreet, acroſs York-ſtreet into little Cuffe-ſtreet, through part of big Cuffe-ſtreet into Kevan's-port, and as far as the public lamps go along Kevan's-port, Milltown-road, Northumberland-ſtreet, and the further end of Merrion-ſquare to the river Liffey, and along that river to Angleſea-ſtreet, be one other diviſion, and called Stephen's-green Quarter; and ſo much, as is contained within the following bounds, the Workhouſe Quarter on the weſt ſide, the river Liffey the northward ſide, Stephen's-green Quarter on the eaſt ſide, and the extremities of the public lamps on the ſouth ſide, be one other diviſion, and called The Caſtle Quarter; and ſo much, as is contained within the following bounds, the Rotunda Quarter on the eaſt or north-eaſt ſide; the Barrack Quarter on the weſt-ſide; the river Liffey on the ſouth-ſide; and the extremities of the public lamps on the north and north-weſt ſide be one other diviſion, and called The Middle Quarter: and after the 24th of June, 1772, inſtead of the fares and rates now appointed to be taken, there may be demanded, and ſhall be paid, ſuch fares and rates for a ſet-down by any ſedan chair within the ſaid city, ſuburbs, and liberties; and for a ſet-down by any coach, landau, chariot, poſt-chaiſe, berlin, Ringſend car, chaiſe, or chaiſe-marine, within the ſaid city, ſuburbs, or liberties, or within ſeven miles of the ſame, as ſhall be ſettled, ordained, and regulated by ſaid governors, or any twenty-one, which they are hereby impowered and required to do, ſettle, and regulate, as ſoon as they conveniently can after the 24th of June 1772, provided that ſuch rates ſhall not exceed one third more than what is now allowed by law, for a ſet-down from any place within any one quarter, to any place within the ſame quarter, by a ſedan chair, at any time between ſix in the morning and twelve at night, the ſum of ſixpence halfpenny, and between twelve at night and ſix in the morning, thirteen pence; and by a hackney coach or landau, holding with convenience four perſons, at any time between ſix in the morning and twelve at night, ten pence, and at any time

The Barrack Quarter;

Workhouſe Quarter;

Rotunda Quarter;

Stephen's-green Quarter;

Caſtle Quarter;

Middle Quarter;

fares and rates within the city or 7 miles ſettled by 21 governors;

not to exceed a third more than now allowed, rates for a ſet-down within one quarter;

time between twelve at night and ſix in the morning, fifteen pence; and for a ſet-down from any place within any of the ſaid quarters, to any other place not within the ſame quarter, by ſuch ſedan chair, coach, or landau, any time between ſix in the morning and twelve at night, thirteen pence, and at any time between twelve at night and ſix in the morning, one ſhilling and ſix pence. not within the ſame.

LXIII. *ſect.* 43. Every owner, keeper, or driver of any ſuch landau or coach, or coach holding with convenience four perſons, may demand, and ſhall be paid for the hire within ſaid city or liberties, or within ſeven miles, for twelve hours, between ſix in the morning and twelve at night ten ſhillings; and by the hour, eighteen pence the firſt hour, and ten pence every hour after; and eighteen pence every hour between twelve at night and ſix in the morning: and the owners, keepers, or carriers of every ſuch ſedan chair may demand, and ſhall be paid for the hire, for twelve hours, between ſix in the morning and twelve at night, four ſhillings and four pence; and by the hour thirteen pence the firſt hour, and nine pence every hour after between the ſaid times; and eighteen pence the firſt hour, and thirteen pence every hour after, between twelve at night and ſix in the morning; and for every chariot, poſt-chaiſe, or berlin, not holding with convenience four perſons, only three-fourths of the rates and fares above enacted for coaches and landaus, ſhall or may be demanded or taken; it ſhall be lawful for ſaid governors, or any twenty, to ſettle, regulate, and ordain the ſeveral fares to be demanded or taken, and weights to be carried by every car, cart, dray, or other carriage carrying for hire any load taken up within the ſaid city, ſuburbs, or liberties, to any place within the ſame, or within four miles thereof, and the owners, keepers, or drivers of any Ringſend car, chaiſe, or chaiſe-marine, may demand, and ſhall be paid for hire for twelve hours between ſix in the morning and twelve at night, four ſhillings and four pence; and by the hour ten pence the firſt hour, and five pence every hour after. Rate of coaches 12 hours; by the hour; of ſedans 12 hours; by the hour; chariots, &c. only 3 fourths; of carriages of loads for hire, Ringſend cars, &c.

LIV. *ſect.* 44. Every rule, order, regulation, or bye-law ſo made by ſaid governors, or any twenty-one, for ſettling or regulating ſaid rates or fares, firſt approved of by the lord chancellor, or lords commiſſioners of the great ſeal, and the chief judges, or any three of them; and ſaid governors or any twenty-one, ſhall have full power and authority from time to time, and at all times for ever, from and after the 24th day of June, 1782, to alter, vary, encreaſe, or raiſe the ſeveral fares and rates herein before enacted, or by them from time to time ſettled, ſo as that every ſuch alteration be firſt approved of in manner aforeſaid, before it can be valid or take place. Approved by lord chancellor and chief judges; 21 governors after 24 June 1782 may alter or increaſe fares, firſt approved of.

LXV. *ſect.* 45. Every low-back car, or other carriage drawn by one horſe or other beaſt, and that ſhall carry for hire any perſon within ſaid city, ſuburbs, and liberties, or ſeven miles, ſhall take out the ſame licence with and be conſidered to all intents and purpoſes as a Ringſend car, chaiſe, or chaiſe-marine, and the owner, driver, or keeper, ſubject to every order, proviſoe, regulation, penalty, and forfeiture, ordained, or eſtabliſhed by this act, or to be by virtue thereof, in reſpect of any Ringſend car, chaiſe, or chaiſe-marine, and the owner, driver, or keeper thereof, except as to what regard the name and abode of the owner, and the number of his mark being painted thereon: and if the owner, keeper, driver, or carriers of any of the ſaid carriages or ſedan chair, ſhall exact more for his hire than the ſeveral rates hereby limited, or hereafter to be limited by virtue of this act, or leave their fare without permiſſion, the owner or proprietor of any ſuch carriage or ſedan, or the grantee or aſſignee of the licence obtained for the ſame, ſhall for every ſuch offence forfeit not leſs than twenty ſhillings, and not exceeding forty ſhillings, recovered before ſaid governors, or any eleven, or court of aſſiſtants, or any Cars carrying perſons for hire, to take out licence and conſidered as Ringſend cars, except as to the mark; exacting more, or leaving fare, owner forfeits not leſs than 20s. not above 40s.

any five, on proof thereof upon oath of any one credible witneſs, and levied, in caſe not inſtantly paid, by diſtreſs and ſale of goods and chattles of the proprietor or owner of every ſuch carriage, by warrant under hands and ſeals of ſaid governors, or any eleven, or court of aſſiſtants, or any five, together with one ſhilling in the pound to the perſon levying, for his trouble, and to be diſpoſed of in manner herein after directed; and the driver or carrier of any ſuch carriage or ſedan, not being the owner, who ſhall exact or demand more, or leave his fare without permiſſion, ſhall for every ſuch offence forfeit the ſum of ten ſhillings; levied as aforeſaid, and for the uſe herein after mentioned, or be publickly whipped through the ſtreets, at the diſcretion of ſaid governors, or any eleven, or court of aſſiſtants, or any five.

and 1s. per pound;

10s. by driver or carrier, or whipped.

Rules and bye-laws by 11 governors,

LXVI. *ſect.* 46. For better regulating and preſerving decency and order amongſt the owners, drivers, keepers, and carriers of any of ſaid carriages, ſedan, and other perſons ſo licenſed, and preventing diſturbances, ſtoppages, and other inconveniencies in the ſtreets and places where ſuch carriages and ſedans ſhall ſtand, be driven, or carried, and puniſhing the owners, keepers, driver or carrier of any ſuch carriage or ſedan for public uſe, who ſhall refuſe to go for hire when not actually employed and paid for waiting, and puniſhing any rudeneſs, inſult, or miſbehaviour in every ſuch coachman, chairman, driver, or carrier, it ſhall be lawful for ſaid governors, eleven at leaſt preſent, to make ſuch rules, orders, and bye-laws to bind all the perſons, who ſhall own, keep, drive, or carry any ſuch of the carriages and ſedans ſo licenſed, or who ſhall obtain any licence under this act, and annex ſuch reaſonable penalties and forfeitures, not exceeding forty ſhillings, for the breach of any one ſuch bye-law, or to make void and ſuſpend the licence or licences of every ſuch offender, or ſubject the driver or carrier to corporal puniſhment, by ſending them to the houſe of correction, there whipped and kept to hard labour for any time not leſs than three days, and not exceeding ten, or by cauſing to be publicly whipt through the ſtreets of the city of Dublin; ſo as ſuch rules, orders, regulations, and bye-laws be approved of by the lord chancellor, or lords commiſſioners of the great ſeal, and the three chief judges for the time being, or any three; and after ſuch approbation ſhall be printed and poſted up on the tholſel, and the foundling hoſpital and work-houſe, and ſuch other places as ſaid governors ſhall appoint; and the court of aſſiſtants, or any five, ſhall have full power and authority to enquire into the breach of every rule or bye-law, order, or regulation, and to correct the ſame, by ſuch ways as they ſhall think proper, if not particularly pointed out by this act, or by the ſaid rules and bye-laws.

penalties not above 40s. ſuſpend liencs,

ſend to houſe of correction not leſs than 3 nor above 10 days, or publicly whipt; approved by lord chancellor and 3 chief judges; printed and poſted.

On not paying hire, defacing or breaking carriage, ſummons by aſſiſtants;

LXVII. *ſect.* 47. If any perſon refuſe or neglect to pay any owner, keeper, driver, or carrier of any ſuch licenſed carriage or ſedan his juſt and lawful hire, or wilfully cut, deface, or break any ſuch, it ſhall be lawful for ſaid court of aſſiſtants, or any five, upon complaint, to grant a ſummons, requiring ſuch perſons to appear at a certain time and place, to anſwer ſuch complaint; and upon proof of perſonal ſervice, at leaſt twenty-four hours, then to hear, conſider, and examine into the matter of ſaid complaint, and to award reaſonable ſatisfaction to the party grieved, for damage and coſts; and upon refuſal to pay or make ſatisfaction, to grant a warrant under hands and ſeals for levying by diſtreſs and immediate ſale of the goods and chattles of the party, againſt whom ſuch complaint made.

on perſonal ſervice 24 hours, ſatisfaction awarded; and levied on refuſal.

Licenſes to hackney coaches and chaiſes granted on bonds for the fines effectual for the

LXVIII. *ſect.* 48. And whereas a number of hackney coaches, chaiſes, drays, carts, and cars have been licenſed under one or more of the acts hereby to be repealed, and the owners of ſaid carts and cars did duly pay the fines on being licenſed, but the poverty of the owners of hackney coaches, and hackney chaiſes, obliged the governors to take bonds for the fines payable on a certain day from the

perſons

persons applying for licence, left the public might be deprived of the convenience of such carriages: and whereas the obliging such persons to take out new licences and pay new fines in consequence of this act would be unjust; therefore, every licence so granted and not yet expired, shall be deemed as good and effectual, for the term in said licence contained, as if said acts were to continue in full force. term therein, as if said acts in force.

LXIX. *sect.* 49. Every such licence, and persons who possess or shall possess the same, shall be subject to all the rules, orders, regulations, penalties, provisoes, remedies, and conditions in this act contained, for or respecting any licence by virtue of this act; and also the fines *bona fide* paid, or the bonds for the same discharged on the days on which payable, and every covenant and agreement in said licences, fully performed and kept; but if said bonds not discharged on the days on which payable, or said covenants and agreements not performed, then said licences shall be forfeited, and said governors shall sue for, and are hereby enabled to recover, the several sums for which these bonds were given, with all costs and charges; and also all arrears of rent due for such licences; and if any licences shall be granted to such persons, they must pay for the same such additional fines as by this act directed, in case of a new licence after forfeiture of the old one. Subject to like regulations; fines paid, bonds discharged, and covenants performed; if not, licences forfeited, bonds sued, and arrears; and additional fine as for new licence.

LXX. *sect.* 50. Any person, who has received any such licence by transfer, alienation, or devise, and performed all the requisites, by said acts or any of them made necessary for the confirmation, and shall enter the same with the register before the fourteenth day of July, 1772, in manner prescribed by this act, and fulfil all the rules, orders, and regulations herein contained, shall not be subject to penalties or forfeitures, prescribed by this act to be inflicted on persons receiving such licence without consent of the governors, or neglecting to enter the same within a certain time. Licences received by transfer or devise, requisites performed, and registered before 14 July 1772, &c. not subject to penalty.

LXXI. *sect.* 51. There shall be charged upon and paid unto said governors and successors, after the 24th of June, 1772, for ever thereafter, for all the houses within the several parishes within the city of Dublin, and liberties of saint Sepulchre's, Thomas-court and Donore, and the liberties of Christ-church and saint Patrick's thereto adjoining, and within the suburbs of said city, whether in said county or city, in all such places *extra parochial* within said county and liberties, six pence in the pound yearly, and every year, for every pound of the yearly rent of every such house or houses, as the valuations are returned for the collection of ministers money in the city, suburbs, and liberties; and where no such valuations returned for the collection of ministers money, or such houses built in a place *extra parochial*, the sum of six pence in the pound yearly, according to the rent payable by the tenants in possession; and in case such rent be only a ground-rent, then according to the rent such house might be set for to a solvent tenant; which six pence in the pound shall, after the 24th of June, 1772, be vested in said governors, and successors for ever, and shall be a charge on the inhabitants of every such house or houses, and payable the 24th of June every year, for the use of the said house, and maintenance, education, and support of the children received therein, or sent to nurse therefrom. Six pence per pound on houses yearly paid to the governors, as the minister's money; where no valuation, or extra-parochial, according to rent by tenants in possession; if only ground rent, as it might be set to solvent tenant; charged on inhabitants, paid every 24 June, for use of the house and children.

LXXII. *sect.* 52. Where said taxes charged according to the rent payable by tenant in possession, it shall be lawful, in order justly to ascertain the same for said governors, eleven at least present, to summon such tenant to appear, and to produce the lease, minute, or agreement, by virtue whereof he holds such house; and in case such tenant shall neglect or refuse, twenty-one days next after being duly served, and in all cases where the rent payable by the tenant in possession, is only a ground-rent, said governors may nominate and appoint any four persons, they shall think fit, to make and ascertain a valuation of the rent which such house is worth, if Tenant in possession summoned to produce his lease or minute; on refusal 21 days, or where only ground rent, valued by 4 appointed by 11 governors;

Valuation returned with affidavit before a juſtice,

if to be ſet to a ſolvent tenant; which valuation ſhall be returned by them to ſaid governors, with an affidavit annexed, made before one juſtice for the county of the city, or county of Dublin (which oath ſuch juſtice is hereby impowered to adminiſter) purporting that ſuch valuation was made by them according to the beſt of their ſkill and knowledge, and without partiality or favour to any perſon or perſons concerned or intereſted in ſuch valuation; which valuation, ſo made and returned,

evidence of the rent for this purpoſe only,

ſhall, for the purpoſe of this act only, and for no other, be deemed evidence of the rent, ſuch houſe might be ſet for to a ſolvent tenant: and there may be charged yearly, and every year for ever thereafter upon, and paid to ſaid governors, and ſucceſſors, for all the houſes aforeſaid, wherein there ſhall be ſold by retail any brandy, ale, beer, ſtrong waters, or ſpirituous liquors, an additional ſix pence in the pound, according to the ſaid proportion; which ſhall be alſo veſted in ſaid governors and ſucceſſors for ever, and be a charge on ſaid houſes, and on the inhabitants, and payable for the purpoſes aforeſaid; and no money ſhall thereafter be levied by veſtry for the maintenance of foundlings in the city of Dublin and liberties; any law, uſage or cuſtom to the contrary notwithſtanding.

additional 6d. per l. where beer or ſpirituous liquors retailed,

no levy for foundlings by veſtry in Dublin.

Houſes within 2 miles of the Caſtle valued, and charged,

LXXIII. *ſect.* 53. After the 24th of June 1772, all ſuch houſes, not within the particular deſcription herein before mentioned and expreſſed, nor comprehended therein, as are or ſhall be built within two miles of the caſtle of the city of Dublin, to be computed from the ſaid caſtle at the rate of two thouſand two hundred and forty yards to the mile, ſhall and may be valued by ſuch methods, and in ſuch manner, as is hereby preſcribed and directed in relation to the houſes in ſaid city, ſuburbs, and liberties, where no ſuch valuation has been returned for collection of miniſters money; and the inhabitants of all ſuch houſes, ſhall for ever thereafter be charged with, and pay yearly and every year, ſix pence in the pound of the yearly value of the rents, as returned upon ſuch valuation; which ſhall be raiſed, levied, and collected in like manner, by ſame methods, as the ſaid charge and taxes on the houſes in ſaid city of Dublin and liberties, are by this act to be, and paid to ſaid governors and ſucceſſors for uſes aforeſaid.

Excepted, the king's houſes, barracks, college, hoſpitals.

LXXIV. *ſect.* 54. Nothing herein contained ſhall be conſtrued to extend to induce any charge on his majeſty's caſtle of Dublin, or any of his houſes, or the barracks, the royal hoſpital, trinity college, or any hoſpital or alms-houſe.

Collectors appointed, ſalaries not above 4d.

LXXV. *ſect.* 55. Said governors, or any eleven, are hereby impowered to conſtitute and appoint ſuch and ſo many perſons, and with ſuch ſalaries and allowances, not exceeding ſix pence for every twenty ſhillings received, as they ſhall judge neceſſary, to collect and receive for the uſe and benefit of ſaid foundling hoſpital and work-houſe, from the inhabitants of every houſe in the ſeveral pariſhes of ſaid city, and within ſaid ſuburbs, liberties of ſaid Sepulchres, Thomas Court, and Donore, and of Chriſt Church, and ſaint Patrick's, and within two miles of the caſtle, the ſaid ſix pence in the pound, according to the reſpective valuations herein before mentioned, and from the inhabitants of every ſuch houſe in which, ſold by retail any brandy, ale, beer, ſtrong waters, or ſpirituous liquors, the ſaid additional ſix pence in the pound; which charges in caſe of non-payment ſhall be raiſed and levied by ſaid collectors by diſtreſs and ſale of goods of inhabitants, who ſhall at the time of ſuch diſtreſs be in or occupy ſuch houſe, and ſhall be by them reſpectively paid to the governors; and ſaid governors are required to take good ſecurity by bond from each collector, for faithful diſcharge of his office, not leſs than the amount of the ſum he ſhall be appointed to collect.

levied by diſtreſs and ſale,

Bonds from collectors for the ſum.

Not more than 3 years arrear at any time.

LXXVI. *ſect.* 56. No houſe or houſes ſhall be charged or chargeable for, nor any diſtreſs or ſale taken for, more than three years arrear at any one time.

LXXVII. *ſect.*

LXXVII. *sect.* 57. In all ſuits, actions, and avowries, for, or on account of any of ſaid taxes or charges on houſes by ſaid governors, or perſon authorized to collect, and in all actions or ſuits by any perſon whatſoever againſt ſaid governors, or perſon authorized to collect, in relation to collecting the ſame, the proving the miniſter's money, uſually paid annually for ſuch houſe for three years next before ſuch ſuit, action, or avowry commenced, ſhall be ſufficient evidences for all the purpoſes of this act of the valuation of the miniſter's money.

In ſuits miniſter's money 3 years before evidence.

LXXVIII. *ſect.* 58. All the rates, taxes, and impoſitions, by this act created, veſted in ſaid governors, to be applied to ſupport of ſaid houſe, and education and maintenance of the children now in the houſe, or ſent to nurſe, and which may hereafter be received, or ſent to nurſe, and to ſuch other uſes of ſaid houſe and hoſpital, as are directed by this act: and ſaid governors, or any eleven, or court of aſſiſtants, or any five, are hereby authorized to chooſe and entertain all ſuch maſters or miſtreſſes, as neceſſary to be employed in ſaid houſe for inſtruction of the children, and keeping them at work, and them, or any of them, from time to time to remove, as they ſhall ſee cauſe, and upon the death or removal of any, to chooſe others, and make and give ſuch reaſonable allowance to them, or any of them, out of the revenue hereby granted for the uſe of ſaid houſe, as they ſhall think fit: and in caſe there ſhall at any time be a deficiency in ſaid revenue, ſo as not ſufficient to anſwer neceſſary expences of ſaid houſe, ſaid governors, or any twenty one, may borrow, or raiſe by demiſe or mortgage of any lands, tenements, and hereditaments, and taxes, veſted in or belonging to ſaid corporation, any ſum or ſums, not exceeding in the whole four thouſand pounds, as to them ſhall ſeem meet; which when ſo raiſed, ſhall be applied by ſaid governors to pay off and diſcharge any debts, which may be neceſſarily, and *bona fide*, contracted for uſe of ſaid houſe.

Taxes veſted in governors for the children and uſes of the houſe,

maſters or miſtreſſes choſen,

removed,

reaſonable allowance out of revenue,

borrow by demiſe or mortgage 4000l.

applied to neceſſary debts.

LXXIX. *ſect* 59. Whenever the number of children occaſion expences exceeding the duties, ſaid governors ſhall cauſe an advertiſement thereof to be inſerted in Dublin Gazette; and that in a week after, no child ſhall be received 'till an advertiſement to the contrary.

When expence exceed duties, advertiſed, no children received.

LXXX. *ſect.* 60. Said governors, or any eleven may, if they think proper, or from peculiar circumſtances find it neceſſary, compound for any arrears of rent due for carriages or ſedans, incurred before the 24th of June 1772.

Governors may compound for arrears.

LXXXI. *ſect.* 61. Said governors, or any eleven, or court of aſſiſtants, or any five, have full power and authority at all times to ſummon, and examine upon oath all ſuch owners and drivers of hackney coaches and chaiſes, and chairs, drays, carts, and other carriages, as alſo all owners or carriers of ſedan chairs, which ply for hire, as they think proper, touching any thing in this act, or wherein they have power by this act to examine and enquire; and in caſe any perſon, who ſhall be perſonally ſummoned to appear, provided ſummons ſerved twenty four hours before the time required neglect to appear, or in caſe a ſummons in writing left at uſual place of abode, and he or ſhe neglect to appear on the day appointed (provided ſuch ſummons ſo left four days before ſaid day) every perſon ſo neglecting to appear, ſhall forfeit five pounds; and a new ſummons ſhall be ſerved, and ſo *toties quoties*, as he ſhall neglect to appear; and for every neglect, he or ſhe ſhall forfeit five pounds, recovered by diſtreſs and ſale of goods, by warrant under hand and ſeal of ſaid governors, or any eleven, or aſſiſtants, or any five: and in caſe any ſuch perſon appearing, ſhall withhold or refuſe to give teſtimony, or upon examination prevaricate or treat with contempt, inſolence, or abuſe, ſaid governors or aſſiſtants, or any of them, they may impoſe a fine not exceeding forty ſhillings on ſuch offenders, or by warrant under hands and ſeals, commit to bridewell,

Owners, drivers, &c. ſummoned and examined on oath,

perſonal ſummons on 24 hours,

at abode 4 days,

not appearing forfeit 5l.

ſo *toties quoties*,

withholding teſtimony, prevaricating &c. fined 40s. or to bridewell 3 months.

well, or such other place as they think proper, confined to hard labour, not exceeding three months.

All penalties recovered by distress and sale on warrant.

LXXXII. *sect.* 62. In all cases where pecuniary penalties or forfeitures inflicted by this act, recovered by distress and sale of goods by warrant under hand and seal of the person or persons inflicting; and it shall be lawful for the person, who shall execute said distress and sale, to deduct thereout, over and above said penalty and the costs attending the same, one shilling in the pound for his or their trouble; and the overplus, if any after such deduction, restored to owner, and where miles expressed in the act, the computation is to be made at the rate of two thousand two hundred and forty yards to a mile.

1*s. per* l. to person executing,

miles at 2240 yards.

Penalties, where no direction, to informer and treasurer, where no informer, to treasurer.

LXXXIII. *sect.* 63. In all pecuniary penalties and forfeitures inflicted, the disposal whereof is not particularly directed, one moiety shall be to informer, and the other to the treasurer of said house for use thereof, in all cases where there shall be an informer; and where not any, the whole shall be paid to said treasurer, for the use aforesaid.

Penalties of perjury on conviction.

LXXXIV. *sect.* 64. If any person, who shall take any oath, or if a quaker, make affirmation, in consequence or by virtue of this act, shall forswear, or be guilty of wilful and corrupt perjury or false affirmation, and be convicted by due course of law, they shall incur and suffer the pains and penalties, by law enacted against persons guilty of wilful and corrupt perjury.

Affirmation if a quaker.

LXXXV. *sect.* 65. Where an oath is required or impowered to be administered by this act, an affirmation shall be substituted if the person, to whom it is to be tendered, be a quaker.

General issue,

and treble costs on nonsuit, &c.

LXXXVI. *sect.* 66. Any persons, at any time sued or prosecuted for any thing done or executed in pursuance of this act, may plead the general issue, and give this act and special matter in evidence; and if upon a trial a verdict shall pass for defendants, or judgment against plaintiffs upon demurer, or plaintiffs nonsuited, discontinue, or forbear prosecuting said actions, such defendants shall have double costs against such plaintiffs, for which costs such remedy as in other cases where costs by law given to defendants.

Former regulations, not incompatible with or repealed by this act, valid,

subject to be altered by 21 governors.

LXXXVII. *sect.* 67. Every rule, order, regulation, and bye-law made by the governors by virtue of any of the acts hereby repealed, and which shall be subsisting and in full force on the twenty-third of June 1772, and not incompatible with, or in substance repealed and annulled by any of the provisions, regulations, or clauses in this act, shall after twenty-fourth of June, 1772, be good and valid to all intents and purposes, as if said acts, or any of them, had not been repealed; subject nevertheless to be amended, altered, or made null and void by the governors hereby created, or any twenty one or more.

No governor or person intrusted shall contract or supply necessaries, or incapable; his place vacant, and a new one elected.

LXXXVIII. *sect.* 68. No governor, or any person any way intrusted in the management or ordering of said hospital, shall be contracted with, or otherwise employed to supply the foundling hospital or work-house with any necessary or material whatsoever; and in case any governors shall be convicted thereof before any two justices of said county or city of Dublin, upon oath of one or more witnesses, or on confession, such governor's place hereby declared vacant, as if dead, and a new governor shall be elected, and such person shall for ever be incapable of being a governor of said house.

Lord mayor may appoint any alderman *locum tenens*, during illness or necessary absence.

LXXXIX. *sect.* 69. It shall be lawful for the lord mayor of said city, by warrant under his hand and seal, to appoint any one of the aldermen to officiate as a *locum tenens* in his place during his illness or necessary absence; and for the person so appointed *locum tenens*, to exercise every power, which said lord mayor, has or

may

may have by charter, uſage, or any of the laws in being, during the time of the illneſs or neceſſary abſence of ſaid lord mayor.

XC. *ſect.* 70. If the lord mayor happen to die during his mayoralty, the aldermen, or uſual Quorum of them may aſſemble together at the Tholſel, within two days after and elect one of the aldermen of ſaid city as a *locum tenens*, in place of the ſaid lord mayor, which perſon, ſo elected a *locum tenens*, ſhall have all the powers before veſted in ſaid lord mayor, and be capable of preſiding at, and iſſuing ſummonſes to the ſeveral members of the ſaid corporation for an election of a lord mayor, in place of the lord mayor who ſhall happen to die as aforeſaid; and ſuch election, where he ſhall preſide, ſhall be conſidered as valid to all intents and purpoſes, as if made by the lord mayor and aldermen, according to the forms heretofore preſcribed by law to be obſerved at the uſual time of electing a lord mayor.

Or, on death of lord mayor, the aldermen or *quorum*, in 2 days at the Tholſel; *locum tenens* veſted with like powers, to ſummon for the election.

XCI. *ſect.* 71. Provided always, That the ſaid perſon, ſo elected a *locum tenens* upon the death of a lord mayor, ſhall proceed to an election in the place of the lord mayor, who ſhall happen to die, within fourteen days after the death; and in failure of the ſaid perſon, ſo elected a *locum tenens*, proceeding to an election within the time, his power and authority ſhall immediately ceaſe and determine, and the aldermen and commons may elect a lord mayor without his preſence or concurrence, and iſſue ſummonſes in name of the town clerk or town clerks, for holding ſuch election.

To proceed to election in 14 days after the death, or his powers to ceaſe, and aldermen and commons may elect, and ſummon in town clerk's name.

XCII. *ſect.* 72. The preſident of the court of conſcience for the time being, by warrant under hand and ſeal, may appoint any one of the aldermen to officiate in his place during the illneſs or neceſſary abſence of ſaid preſident; and it ſhall be lawful for the perſon ſo appointed to exerciſe every power, which the ſaid preſident, has or may have by charter, uſage, or any of the laws in being, during his illneſs or neceſſary abſence.

Preſident of court of conſcience may appoint any alderman to officiate during illneſs or abſence, with like powers.

XCIII. *ſect.* 73. This act, and all and every clauſe and clauſes therein, and every part, ſhall be deemed and taken notice of in all courts of law and equity in this kingdom, and deemed a publick act.

A publick act.

XCIV. *Stat.* 11 & 12 *Geo.* 3. *cap.* 13. *ſect.* 1. The lord chancellor, earl of Droghe-da, earl of Roſs, lord Eyre, lord Erne, lord Bangor, Edmond Sexton Pery ſpeaker of the houſe of commons, ſir Archibald Acheſon, ſir William Oſborne, ſir Edward Loftus, Nathaniel Clements, William Burton, Anthony Malone, Robert Clements, Joſeph Henry, Simon Digby, Beauchamp Bagnell, Francis Leigh, Gervais Parker Buſhe, Henry Loftus, Armar Lowry Corry, Lodge Morres, George Hamilton, general Sandford, baron Scott, dean Bayley, Henry Tilſon, Richard Dawſon, Richard Benſon, colonel Maſſey, Andrew Crauford, Edward Sneyd, Charles Savage, John Blackwood, William Murray, William Muſſenden, Conolly Norman, Edward Madden, John Godly, Arthur Craven, Captain Willington, Captain Aſhburnham, John Hovenden, John Brown, ſhall be, and are hereby appointed commiſſioners for paving, cleanſing, lighting, draining, and improving the ſtreet called Sackville-Street and the Mall, and the lanes and avenues leading into the ſame; and the earl of Tyrone, lord Glerawley, John Beresford, Arthur Browne, Richard Anneſley, Edward Stratford, Edward Cary, Theophilus Clements, John Hyde, Richard Gorges, John Wynne, John Burton, doctor Hamilton, John Uſher, doctor Paul, Edmond Malone, Badham Thornhill, John Mitchell, Robert Hudſon, Edmond Power, William Handcock, John Hill, captain Ormſby, Townly Dawſon, James Caulfield, William Caulfield, Charles Tottenham, Arthur Mervyn, Dixie Coddington, Lewis Thomas, ſhall be, and are hereby appointed commiſſioners for

Commiſſioners appointed for Sackville Street and the Mall, the lanes and avenues,

commiſſioners for Marlborough-Street,

paving, cleanſing, lighting, draining, and improving the ſtreet, called Marlborough-ſtreet, with full power to ſaid commiſſioners, to pave, cleanſe, light, drain, and improve ſaid ſtreets, and to order and direct the ſame from time to time, ſo as to make and continue ſaid ſtreets ſafe and commodious for the publick in general, and the inhabitants of ſaid ſtreets in particular, and to free and preſerve the ſame from all nuiſances and annoyances whatſoever, and for that purpoſe to ſink, drive, carry on, and perfect ſuch ſhores, ſewers and drains, and do and carry on all ſuch neceſſary and proper acts and works in and through the ſaid ſtreets, and in and through that part of Henry-ſtreet which runs acroſs the top or ſouth-end of Sackville-ſtreet and the Mall, and in and through ſuch other publick ſtreets, lanes, roads, paſſages, and places home to the river Anna-Liffey, as may ſeem to them neceſſary and convenient for the purpoſes aforeſaid; and the ſaid commiſſioners, or any five or more of them, ſhall reſpectively have full power and authority to do, perform, and perfect all ſuch acts and works, and things aforeſaid, and to execute all the powers and authorities herein reſpectively to them given and created for carrying the purpoſes aforeſaid into execution, in ſuch manner as to them ſhall ſeem moſt proper, without any let, ſuit, or interruption from any perſon whatſoever, or any charge or charges of any of the proprietors or inhabitants of ſaid ſtreets, lanes, paſſages, or ways, for or on account of any damages ſo by them to be ſuſtained in the due execution of ſaid works; and as often as any of ſaid commiſſioners ſhall die or remove, the ſucceeding occupiers of the houſes ſhall be commiſſioners in their room.

full powers to pave, cleanſe, light, and improve,

make ſhores, ſewers, and drains, and all neceſſary works,

any 5 may act in execution of ſaid work,

without let, ſuit, or interruption for any damages,

on death, ſucceeding occupiers of the houſes commiſſioners.

XCV. *ſect.* 2. Provided always, that the ſaid Sackville-Street, ſhall not be made a market or ſtand for coaches, or a place for breaking horſes.

Sackville Street not a market, or a ſtand, or for breaking horſes.

XCVI. *ſect.* 3. The publick ſtreet or highway lying at the north end of Sackville Street and the Mall, next to the Lying-in hoſpital, and from the corner of ſaid hoſpital to the ſouth end of Cavendiſh Row, and ſo croſs the ſame to the north-weſt end of ſaid new ſtreet called Sackville-Street and the Mall, and the lanes and avenues leading into the ſame, ſo far as they ſhall find it neceſſary, to open, break up, or make uſe of the ſame for the neceſſary purpoſes of ſufficiently and more conveniently anſwering the ends of this act.

XCVII. *ſect.* 4. It ſhall be lawful for ſaid commiſſioners, or any five or more, to aſſemble at any place or places within or near the ſaid ſtreets, or within the ſaid city of Dublin, to be appointed by them, or any five or more, for that purpoſe, on the firſt of June next, or any ſubſequent day, which they or any five or more ſhall appoint, giving publick notice thereof in one or more of the publick news papers, ten days previous to ſuch meeting, and to adjourn from time to time, and appoint other meetings for carrying this act into execution, at ſuch places, and times, as they, or any five or more ſhall appoint, and to aſſemble and meet accordingly; and that ſaid commiſſioners, or any five, ſhall reſpectively have full power and authority to direct and regulate the paving, cleanſing, lighting, and improving their ſaid ſtreets reſpectively, in ſuch manner as they ſhall think proper; and making drains, ſoughs, ſhores, and ſewers through the ſame, and every part, and all lanes, and avenues leading into the ſaid ſtreets, and for driving and carrying the ſame through any other publick ſtreet, lane, or place, to the river Anna Liffey; and that ſaid commiſſioners for Sackville-Street and the Mall, and the lanes and avenues leading into the ſame, ſhall have full power and authority to lay open the Mall, which is in the middle of ſaid ſtreet, and to pave and make it part of the ſame; and to make contracts for all materials neceſſary for executing the works in their reſpective ſtreets, and to employ workmen, and to do all matters and things which they ſhall judge neceſſary to render the ſaid ſtreets moſt commodious to the inhabitants of ſaid ſtreets,

Place and time of meeting,

10 days publick notice, adjourn, and appoint other meetings,

any 5 may regulate paving, &c.

making drains, &c. thro' other ſtreets to the river,

the Mall may be opened and paved,

contract for materials, and workmen,

and

and the persons who shall pass through the same; and that said commissioners for Sackville-Street, and for Marlborough-Street, or any five, shall respectively have full power, from time to time to direct such sums to be raised upon the inhabitants of their respective streets, as they shall judge necessary for purposes aforesaid; and such sums shall be assessed by said commissioners respectively, or any five, upon the inhabitants of their respective streets, equally in proportion to the minister's money payable out of the respective houses in said street, and collected by such persons, as the said commissioners respectively, or any five, shall by writing under their respective hands and seals, appoint, which sums, when collected, shall be paid into the hands of such persons, or into such bank or banks within said city, as shall be appointed by the said commissioners respectively, or any five, at some publick meeting of said commissioners, and shall be from time to time drawn out from thence, and paid, applied, and disposed of for the purposes aforesaid, by order of said commissioners, or any five under their hands, signed at some publick meeting.

money raised on inhabitants, assessed by commissioners respectively, in proportion to minister's money, collected on their warrant, and paid as appointed at publick meeting, and drawn out and applied.

XCVIII. *sect.* 5. Where any of the houses of the said street untenanted or unoccupied, the owners of such houses respectively shall be charged with the said rates, and the premisses shall remain a security for the same; and where any of the houses in said streeets are let out in lodgings to tenants, the owners of the houses are to be assessed, but the rate may be levied on the occupiers of the same; and all dead walls, and void spaces in said streets shall be respectively rated by said respective commissioners, or any five, according to the annual value, which they shall judge, such grounds would let for to a solvent tenant; and the sums, so assessed, shall be paid by the proprietor of such grounds, until the same shall be built; and when built, such new houses shall be then rated as the other houses in said streets: and in case any of the persons, subject to said rates, refuse or neglect thirty-one days after demand to pay the sum or sums so respectively assessed, collectors may levy the same by distress, upon the goods of him, her, or them so refusing or neglecting to pay: and in case such distress not redeemed within three days, such collectors shall and may sell the same by publick cant; and out of the principal deduct the sum due for said rate, together with cost of such distress, if any, and return overplus to owner: and said respective commissioners, or any five, shall and may apply as aforesaid the sums, raised for the purposes aforesaid; and all the stones and other materials in the said respective streets, are hereby vested in said respective commissioners, to be sold or used for the purposes aforesaid, with power to agree and contract for all manner of materials and necessaries with workmen, undertakers, and necessary artizans and persons whatsoever: and said commissioners of said streets respectively, or any five, may and shall be liable to all contracts and agreements so made by them, and subject to all suits as shall be prosecued against them for non-performance of all or any of such contracts.

Houses untenanted, owners, charged, and where let in lodgings; but levied on occupiers, dead walls, void spaces rated by annual value, by solvent tenant, new houses rated as the others, on refusal 31 days after demand levied by collector, if not redeemed in 3 days distress sold publickly, rate and costs paid, materials vested in commissioners, power to contract, liable to suits for non-performance.

XCIX. *sect.* 6. After the passing of this act the inhabitants of Sackville-Street and the Mall, and of Marlborough-Street, and all the houses, lands, and tenements within the same, and which shall be liable to be taxed for the purposes of this act, shall be exonerated, freed, and discharged from all scavengers rates, and all taxes and contributions, in respect of the said streets, for paving, lighting, or cleansing the same, other than such taxes, rates, and assessments to which they shall be liable by this act.

Said streets discharged other rates.

C. *sect.* 7. It shall not be lawful for any person in any street, lane, or place, through which any shore, sewer, drain, or sough shall be carried by virtue of this act, to open any such sewer, drain, or sough, or to lay or carry any other shore, sewer, drain, or sough, into the same, without leave and licence of said respective commissioners, or five at least, under their hands and seals, obtained at some publick

None to open the sewers, &c. or carry any other into them without leave at meeting.

publick meeting of ſaid reſpective commiſſioners, and if any ſhore, ſewer, drain, or ſough, ſhall be ſo opened or laid into the ſame, the ſaid reſpective commiſſioners, or any perſons employed by them, ſhall and may interrupt and ſtop up the ſame.

A publick act.

CI. *ſect.* 8. This act deemed, adjudged, and taken to be a publick act, and judicially taken notice of as ſuch, by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame; and that the ſame do paſs as a publick act without fees: and in caſe any action or ſuit commenced or proſecuted againſt perſon for any thing done by virtue and in execution of this act, every ſuch perſon may plead the general iſſue, and give this act in evidence as aforeſaid; and if any verdict, non-ſuit, or diſcontinuance paſs or happen againſt the plaintiff or plaintiffs defendants ſhall have double coſts.

general iſſue,

double coſts.

On a committee by 3 G. 3. c. 15. ſec. 15. eleven members ſufficient as to haven-maſters, pilots, and lightermen, and orders for money, 5 for more ordinary buſineſs.

CII. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 12. Whereas by an act third of his preſent majeſty, *for ſecuring ſhips trading to Dublin*, a committee was appointed, not being leſs than ſeventeen, after the 1ſt of May 1772, at all meetings of ſaid committee, any number of members, not leſs than eleven, ſhall be ſufficient for the ordering, management, and tranſacting of all matters relative to nominating and diſplacing haven-maſters, pilots, and lightermen, and to the making orders, and regulations for the direction of their conduct, and to the making or iſſuing orders for payment of money, and a number not leſs than five ſufficient for all other their more ordinary buſineſs, purſuant to the powers veſted in ſaid committee by ſaid act; any thing in ſaid act to the contrary notwithſtanding.

Seſſions during ſitting of king's bench.

CIII. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 15. Whereas doubts have ariſen, whether the chairmen or juſtices of the county of Dublin, can ſit after the beginning of term, and during the ſitting of king's bench: and whereas the buſineſs of ſaid court of late is ſo great, that often times it cannot be executed without adjourning, during the continuance of the term, the chairmen together with the juſtices of peace of ſaid county ſhall have full power and authority to attend and execute the buſineſs of ſaid ſeſſions, notwithſtanding the ſitting of the king's bench.

## Fire Engines and Watch.

Pariſh miniſters or curates in cities and towns, (except a particular proviſion) to hold veſtry 1 June 1772, 6 days notice, aſcertain the ſum for a fire-engine with implements, &c. appoint attendants at yearly ſalaries, 3 pariſhioners directors of watch for the year, and watchmen. Not obliged to purchaſe another.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 14. *ſect.* 1. The miniſter of every pariſh in every city and town-corporate, except ſuch for which particular proviſions already made by ſome law, or his curate, ſhall on the 1ſt of June 1772, hold a veſtry, of which he ſhall give public notice at leaſt ſix days previous, including the day of notice; and ſuch veſtry ſhall at ſuch meeting determine and aſcertain the ſum to be raiſed upon the pariſh for purchaſing one fire-engine at leaſt, with pipes, buckets, and all other implements neceſſary for working the ſame, and for providing a proper place for keeping, and appoint ſuch perſons to attend and work the ſame, as often as occaſion ſhall require, at ſuch yearly ſalaries as they think proper; and ſuch veſtry ſhall at ſuch meeting elect three of the pariſhioners of good ſubſtance to be directors of the watch for the year enſuing, and alſo appoint ſuch number of watchmen, and at ſuch wages, as they ſhall think proper; which watchmen ſhall be under the controul and inſpection of ſuch directors.

II. *ſect.* 2. That no pariſh, which has at preſent a fire-engine belonging to it, obliged to purchaſe another.

III. *ſect.*

III. *ſect.* 3. The miniſter of every pariſh, or his curate, ſhall on every firſt day of June annually, during the continuance of this act, hold a veſtry, of which ſuch notice given as aforeſaid, for chuſing and appointing ſuch perſons directors and watchmen, as herein before mentioned, for the year enſuing; and ſuch veſtry ſhall at ſuch meetings determine and ſettle, what ſums ſhall be raiſed for all or any of the purpoſes aforeſaid, during the enſuing year.

Veſtry every 1ſt of June,

like notice, to chuſe directors and watch, for the year; and ſettle the ſums.

IV. *ſect.* 4. Church-wardens ſhall from time to time levy the ſum, ſo agreed to be raiſed, upon the occupiers of houſes within their reſpective pariſhes according to the rate, at which ſuch houſes are valued for the collection of miniſter's money; and where no ſuch valuation, ſuch houſes ſhall be valued by three inhabitants of every ſuch pariſh upon oath, to be appointed by ſuch church-wardens reſpectively, which oath ſuch church-wardens are impowered and required to adminiſter; and ſuch church-wardens ſhall levy the proportion of the ſum, ſo agreed to be raiſed, upon the occupiers of ſuch houſes, according to ſuch valuation; in caſe any perſon ſhall refuſe or neglect to pay to ſuch church-warden the ſum, with which ſo chargeable, or any part thereof, church-warden ſhall have like remedy for recovery by diſtreſs or otherwiſe, as for recovery of pariſh ceſſes.

Churchwardens to levy on houſes as rated for miniſter's money; or valued by 3 pariſhioners on oath;

on occupiers;

on nonpayment, recovered as pariſh ceſſes.

V. *ſect.* 5. Church-wardens ſhall apply the ſum ſo raiſed for the reſpective purpoſes before mentioned, and before the expiration of the year, for which they ſhall be ſo choſen, return to the miniſter or his curate, upon oath, which oath ſuch miniſter or curate is impowered and required to adminiſter, a true and particular account in writing of the ſums ſo by them reſpectively received, and of the application of the ſame; which account ſhall be examined and allowed or diſallowed at a veſtry, of which ſuch notice as aforeſaid given, held for that purpoſe; in caſe any church-warden neglect or refuſe to return ſuch account, he ſhall forfeit twenty pounds, by civil bill in name of the miniſter, and the ſame ſhall be applied to uſe of the pariſh.

Applied to ſaid purpoſes,

return before the year to the miniſter on oath;

examined in veſtry on like notice;

account not returned, 20l. by civil bill to uſe of the pariſh.

VI. *ſect.* 6. It ſhall be lawful for the miniſter or his curate, church-wardens and pariſhioners, or major part in veſtry, from time to time, as occaſion ſhall require, to make ſuch bye-laws, orders, and rules for regulation of the watch, and of perſons employed in working ſuch fire-engines, as they ſhall think neceſſary, and to remove ſuch of them as they think proper, and appoint others in their places; and in caſe any watchman, or perſon employed about ſuch fire-engine, ſhall act contrary to any ſuch rules, upon due proof thereof upon oath by one or more credible witneſſes, before any juſtice of ſuch city or town-corporate, he ſhall forfeit ten ſhillings, deducted out of his wages, which ſhall be applied to uſe of the pariſh.

Orders in veſtry for regulating watch and firemen;

on proof of breach before a juſtice 10 s. to pariſh uſe.

VII. *ſect.* 7. If any action or ſuit commenced or proſecuted againſt any perſon for any thing done in purſuance of this act, the defendant may plead general iſſue, and give the ſpecial matter in evidence; this act deemed a public act, and judicially taken notice of as ſuch.

General iſſue 3.

a public act.

## Fiſh.

I. *Stat.* 7 *Geo.* 3. *cap.* 20. *ſect.* 10. Four men for the firſt twenty tons and one man for every eight tons exceeding twenty tons ſhall be deemed a ſufficient number to be employed on board veſſels during fiſhing ſeaſon to intitle the owners to the bounty, who ſhall in all other reſpects comply with the requiſites in 3 G. 3. c. 24. & 6 G. 3. c. 7.

4 men for 1ſt 20 tons and 1 every 8 tons over intitles to the bounty.

## Fish.

1 s. per barrel on herrings imported.

II. *Stat.* 11 & 12 *Geo.* 3. *cap.* 1. *sect.* 9. Tax of one ſhilling *per* barrel on all herrings imported paid to Dublin Society to be applied to encouragement of fiſheries in the north-weſt.

## Game.

3 G. 3. continued by 6 G. 3. c. 15. and further to 1 May 1770.

I. *Stat.* 7 *Geo.* 3. *cap.* 20. *ſect.* 2. All clauſes in 3 G. 3. for prohibiting the taking and killing game, and expoſing to ſale at improper ſeaſons, and all penalties and proviſions relating thereto, continued from 1 May 1768 to 1 May 1770, and to the end of the then next ſeſſion.

& 31 G. 2. c. 9. ſ. 4.

II. *ſect.* 3. A clauſe in 31 G. 2. which make killing and deſtroying wild turkeys liable to ſame penalties and forfeitures as deſtroying pheaſants, partridges, and quails, continued to 1 May 1770, and to end of the then next ſeſſion.

25 G. 2. c. 5. revived to 24 June 1772, &c.

III. *Stat.* 11 *Geo.* 3. *cap.* 1. *ſect.* 3. An act 25 G. 2. for preſervation of the game, which hath lately expired, ſhall be revived and continue in force until 24 June 1772 and to end of then next ſeſſion.

And 31 G. 2. c. 9. ſ. 4. to 24 June 1772.

IV. *ſect.* 4. A clauſe in an act 31 G. 2. which makes the killing and deſtroying wild turkeys ſubject and liable to ſame penalties and forfeitures as deſtroying pheaſants, partridges, and quail, are by ſaid act 25 G. 2. revived and continued in force until 24 June 1772.

And 3 G. 3. c. 23.

V. *ſect.* 5. An act 3 G. 3. c. 23. continued in force until 24 June 1772, and to end of then next ſeſſion.

3 G. 3. c. 23. & 31 G. 2. c. 9. ſ. 4. continued 2 years, &c.

VI. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 5. An act the third of his preſent majeſty, for preſervation of the game; and alſo a clauſe in an act of 31 G. 2. which makes killing and deſtroying wild turkies liable to the ſame penalties and forfeitures that deſtroying pheaſants, partridges, and quails, are made liable to by 25 G. 2. ſhall continue in force for two years, and from thence to the end of the then next ſeſſion.

## Glebes.

Oath to commiſſioners as by 12 G. 1. c. 10. ſ. 9. to view improvements.

I. *Stat.* 7 *Geo.* 3. *cap.* 9. *ſect.* 3. Chief governors, and every archbiſhop and biſhop reſpectively, may impower one or more perſons to be named in commiſſions, or any one of them, to adminiſter ſuch oath, as by 12 G. 1. required, to the commiſſioners, and all ſuch oaths as ſhall be ſo adminiſtered, and ſuch as have been theretofore adminiſtered by any perſons heretofore authoriſed by any ſuch commiſſion, deemed to have been duly adminiſtered.

On any complaint of dilapidations commiſſions may iſſue as by 12 G. 1. c. 10. ſ. 9.

II. *ſect.* 4. Upon any complaint of dilapidations to chief governors or any archbiſhop or biſhop by the ſucceſſor chargeable with payments they may iſſue ſuch commiſſions with ſuch powers and authorities as in 12 G. 1. mentioned; and on return of ſuch commiſſions, and hearing the allegations of each party, aſcertain ſuch ſum, as they ſhall adjudge reaſonable, to be allowed for ſuch dilapidations, which ſhall be deducted out of the ſum payable by ſuch ſucceſſor, and ſhall by them be laid out in repairing ſuch buildings and improvements, as by the former act directed.

Sum deducted from the charge laid out on improvements. Payment for dilapidations inforced.

III. *ſect.* 5. In all caſes whatſoever where any biſhop or other eccleſiaſtical perſon ſuffers any dilapidations in buildings or improvements on demeſne or glebe lands, the archbiſhop in caſe of a biſhop, or the biſhop in caſe of any other eccleſiaſtic, may iſſue ſuch commiſſions, with ſuch powers and authorities, and aſcertain ſuch ſums, as ſhall be judged reaſonable to be expended or allowed for repair of ſuch dilapidations,

tions, in such manner as prescribed by said act, and enforce payment of such sums so ascertained, in such manner as by the laws now in being the sums adjudged to be paid or allowed for dilapidations are recoverable.

## Hawkers and Pedlars.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 3. *sect.* 1. From 25 March 1772 until 25 March 1774 there shall be answered and paid to his majesty, by every hawker, pedlar, petty chapman, or other trading person, going from town to town or to other men's houses, and travelling on foot or with horses, or otherwise, except as after mentioned, carrying to sell or exposing to sale any goods, wares, or merchandises, a duty of 20s. by the year; and every person so travelling with a horse, ass, or mule, or other beast bearing or drawing burthen, shall pay 20s. by the year from 25 March 1772 to 25 March 1774 for each beast he or she shall so travel with over and above said first mentioned duty of 20s. by the year; which rates and duties shall be collected by such persons, manner, ways, and means, as the duty for licences to keep alehouses by an act 33 G. 2. as fully to all intents as if the provisions in said act were particularly expressed and enacted again.

Pay 20s. yearly to 25 March 1774.

20s. each beast;

collected as for alehouse-licences by 33 G. 2. c. 10. s. 93.

II. *sect.* 2. Every pedlar and other trading person so travelling shall before 25 March 1772, and so likewise every year, deliver to collector of excise for the district, where he or she shall reside or dwell, a note in writing under their hand, or hand of some person by them authorised in that behalf, how and in what manner they intend to travel and trade, whether on foot, or with one or more horses, asses, or beasts of burthen for so travelling and trading; for which he or she shall thereupon pay such collector said yearly duty, and thereupon a licence granted to him or her so to travel or trade by such collector.

Note of the intended manner to collector;

licence thereupon.

III. *sect.* 3. Any such hawker, &c. found trading as aforesaid without or contrary to such licence, for every such offence shall forfeit 5l. one moiety to informer, the other to the Incorporated Society in Dublin for promoting English protestant Schools. Any person so trading, on demand by any justice, mayor, constable, or other officer of the peace of any county, city, town corporate, or borough, where he or she shall so trade, refusing to produce and shew immediately said licence, shall forfeit 20s. to informer, and for nonpayment suffer as a common vagrant, and committed to house of correction.

Trading otherwise 5l. to informer and the society.

Refusing to shew licence on demand by peace officer, 20s. to informer.

IV. *sect.* 4. Collectors respectively required on terms and receipt aforesaid, to grant a licence under their hands to every hawker or any other trading person for him or herself with one or more horses, asses, mules, or beasts, they shall travel with, as the case shall require; for which licence shall be taken by such collectors for their own use one shilling and no more, except they travel with any beast of burthen, and in that case two shillings and no more over and above the duties aforesaid; said collectors shall keep separate and distinct accounts of said duties, and pay the money arising into the treasury as other money received by them for use of his majesty.

Collectors to grant licences,

fee 1s. 2s. if with a horse, &c.

keep separate accounts.

V. *sect.* 5. Said collectors accountable to his majesty for said duties, and subject to like penalties and forfeitures for not rendering a true account and paying as aforesaid, as they are for not rendering true account of any money received for his majesty's use.

Accountable as for other money.

VI. *sect.* 6. The monies arising from said duties from time to time brought into receipt of exchequer, and without any fee or deduction whatsoever paid by vice-treasurer or receiver general to said Incorporated Society or their treasurer for their use.

Payment to the society.

Forgery 50l. beſides penalties.

VII. *ſect.* 7. Perſons forging or counterfeiting or cauſing to be forged or counterfeited any licence for purpoſe aforeſaid, or travelling with the ſame knowing to be forged or counterfeited, ſhall forfeit 50l. one moiety to the king, the other to him who ſhall proſecute or ſue; recovered by action of debt, bill, plaint, or information in any court of record at the four courts in Dublin, in which no eſſoign, &c. allowed, and ſhall be ſubject to ſuch other pains and penalties, as may be inflicted for forgery.

General iſſue;

VIII. *ſect.* 8. Perſons, ſued or troubled for putting in execution any of the powers in this act or any thing purſuant, may plead general iſſue not guilty, and give the ſpecial matter in evidence; and if plaintiffs nonſuited, or judgment againſt them on demurrer or otherwiſe, or verdict for defendants, or diſmiſs on civil bill,

treble coſts to defendants.

defendants ſhall have treble coſts in ſuch manner, as where by law coſts given to defendants.

Conſtable's neglect 40s.

IX. *ſect.* 9. If any conſtable refuſe or neglect on due notice or his own view to be aiding and aſſiſting in execution of this act, being thereunto required, convicted thereof by oath of one credible witneſs before any juſtice for the county or place where offence committed, he ſhall forfeit every ſuch offence 40s. levied by diſtreſs and ſale of goods by warrant under hand and ſeal of ſuch juſtice, one moiety to ſaid ſociety, the other to informer who ſhall proſecute, rendering overplus, if any, to owner.

Any one may ſeiſe till licence produced,

X. *ſect.* 10. Any perſon whatſoever may ſeiſe and detain any ſuch hawker or other trading perſon, and alſo the goods they ſhall be found trading with, until licence in that behalf produced, if they have any; if found trading without licence contrary to this act, perſons ſo ſeiſing, taking to their aſſiſtance ſuch perſons as they

brought before a juſtice or collector,

think fit, may carry perſons ſo ſeiſed as alſo the ſaid goods before ſome one juſtice for the county or place, or before collector for the diſtrict, where offence committed, who are reſpectively ſtrictly required either upon confeſſion of the party or due proof of a witneſs on oath, that the perſon ſo brought had ſo traded, unleſs ſuch licence ſhall be produced by ſuch offender before ſaid juſtice or collector, by

penalty 5l.

warrant under hand and ſeal, to cauſe five pounds to be forthwith levied by diſtreſs and ſale of offender's goods and merchandiſes, rendering overplus to owner after deducting the reaſonable charge for taking ſaid diſtreſs, and out of ſaid ſale pay ſaid penalty und forfeiture.

Exempted printed papers, fiſh, fruit, &c. real makers, tinkers, &c.

XI. *ſect.* 11. This act ſhall not extend to prohibit any from ſelling any act of parliament, forms of prayer, proclamations, gazettes, almanacks, or other printed papers, or any fiſh, fruit, or victuals, nor to hinder real workers or makers of any goods or wares within this kingdom, or their wives or apprentices, from carrying abroad, expoſing to ſale, and ſelling any of ſaid goods of their making in any public fairs, markets, or elſewhere, nor any tinker, cooper, glazier, plumber, harneſs mender, or other perſons uſually trading in mending kettles, tubs, houſehold goods, or harneſs whatſoever, from going about or carrying with them proper materials for mending the ſame.

Raw wool, frizes, woollen yarn ſtockings.

XII. *ſect.* 12. This act ſhall not extend to ſubject any perſons, who carry raw and unmanufactured wool, or frizes, or ſtockings of woollen yarn from one part of the kingdom to another, or expoſe to ſale in any fair, market, or other place, to any of ſaid duties or penalties, ſo as they ſhall not at ſame time carry or expoſe to ſale any other wares, goods, or merchandiſes.

Flax, &c. yarn, linens, &c.

XIII. *ſect.* 13. This act ſhall not extend to prohibit any from ſelling or expoſing in any place whatſoever any flax, tow, hemp, flaxen yarn, hempen yarn, ticken, plain, ſtriped, chequered, painted, or ſtained linens, buckrams, or canvas, ſo as they

they ſhall not at ſame time carry or expoſe to ſale any other goods, wares, or merchandiſes.

XIV. *ſect.* 14. This act ſhall not extend to ſubject perſons, who carry any pots or griddles of caſt iron metal from one part to another, or expoſe to ſale in any fair, market, or other place in this kingdom, to payment of any greater duty than 20 s. by the year in the whole, altho' they trade or travel with one or more horſes or other beaſts bearing burthen, ſo as they ſhall not at ſame time carry or expoſe any other goods, wares, or merchandiſes. Caſt iron pots or griddles, only 20 s. yearly, tho' with horſes.

XV. *ſect.* 15. Commiſſioners of revenue, or any three, may order to be paid out of the monies raiſed by this act to ſaid collectors, their clerks, or any other perſons, ſuch ſums as they or any of them may reaſonably deſerve for their ſervice or have expended in execution of or relation to this act. Reaſonable ſums for ſervices.

XVI. *ſect.* 16. This act ſhall not extend to give any power for licenſing any hawker, pedlar, or petty chapman to ſell or expoſe any wares or merchandiſes in any city, borough, town corporate, or market town within this realm, any otherwiſe than he or ſhe might have done before making this act, any thing herein to the contrary notwithſtanding. Not to licenſe ſale in corporations ſave as before.

## Highways.

I. *Stat.* 7 *Geo.* 3. *cap.* 10. *ſect.* 1. The 21 *G.* 2. *c.* 13. and all powers and authorities, articles, rules, penalties, and all clauſes therein, except as hereby altered, ſhall be of full force and effect, and continue to be executed during the term in ſaid act mentioned, as if the ſame powers and authorities were herein repeated and re-enacted, any thing in the ſaid former act contained to the contrary notwithſtanding. 21 G. 2. c. 13. ſave as herein altered inforced.

II. *ſect.* 2. The toll-houſe and turnpike gate erected at Aghanebee deemed lawful, erected purſuant to appointment of the truſtees, and ſo conſtrued to be, according to the true intent and meaning of ſaid act, whether the bounds of the liberties of Cork ſhall appear to be at Aghanebee, or to extend ſomewhat farther, any thing in ſaid act to the contrary notwithſtanding. Gate at Aghanebee lawful.

III. *ſect.* 3. No toll-houſe or turnpike gate ſhall be erected in, acroſs, or on the ſide of ſaid road between Aghanebee and Cork. No gate nearer Cork.

IV. *ſect.* 4. A toll-houſe, turnpike gate and ſidegates ſhall be erected at Millſtreet, and there the like tolls ſhall be received and taken, and levied, applied and diſpoſed of, as by ſaid act directed, over and above the tolls in ſaid recited act, any thing therein contained to the contrary notwithſtanding. A turnpike at Millſtreet.

V. *ſect.* 5. Seven truſtees ſhall be a ſufficient number, and veſted with ſame power, and their acts as valid, as the acts of eleven under ſaid act, any thing therein to the contrary notwithſtanding. 7 truſtees may act.

VI. *ſect.* 7. This deemed a publick act, and judicially taken notice of as ſuch by all judges, juſtices, and all other perſons, without ſpecially pleading the ſame. A public act.

VII. *Stat.* 7 *Geo.* 3. *cap.* 11. *ſect.* 1. The truſtees appointed for the road, and the ſurvivors, or any five or more, or ſuch perſons as they ſhall appoint, may erect turnpikes on any part, and toll-houſes, and receive the following tolls or duties, for every coach, berlin, chariot, calaſh, chaiſe, or chair, drawn by ſix horſes, geldings, or mares, one ſhilling and ſix pence; drawn by a leſſer number than ſix and more than two, one ſhilling; drawn with two, four pence; every waggon, wain, or cart with two wheels, drawn by more than two horſes, mares, geldings, or oxen, two ſhillings and ſix pence; every cart, waggon, or car with two horſes, geldings, Truſtees named for the road from Liſtowel in Kerry to the forge on the lands of Reens, may erect turnpikes and take toll; the rates.

of mares, four pence; a chair or chaise with one horse, mare, or gelding, three pence; every car or other carriage drawn but by one horse, mare, gelding, ass, mule, or ox two pence, except cars and horses laden with turf; every other horse, mare, gelding, mule, or ass, laden or unladen, and not drawing, one penny halfpenny; a drove of oxen, cows, or neat cattle, one shilling and eight pence per score, and so in proportion; of calves, hogs, sheep, or lambs, five pence per score, and so in proportion. The money so raised vested in said trustees for the uses herein after mentioned. Said trustees, or any five, or any persons by them authorised under hands and seals may on neglect or refusal levy by distress, and detain till said toll with reasonable charges paid, and after five days sell such distress, returning the overplus on demand.

Distress and sale after 5 days.

VIII. *sect.* 2. The money, after charges and expences paid, applied to repair of the road.

IX. *sect.* 3 Tickets of the day of the month and toll paid delivered by gatekeepers, taken at every other gate on the road, and in force for the same day.

X. *sect.* 4. Permitting passage to avoid the toll, on conviction on oath of one witness before five trustees (impowered to administer) or one justice of the county, forfeiture ten shillings by distress and sale by warrant under hand and seal.

XI. *sect.* 5. Sidegates and toll-houses may be erected, so as no double charge.

XII. *sect.* 6. Five trustees at any meeting may under hand and seal appoint collectors, supervisors, clerk, or treasurer; remove and appoint new ones. Collectors accountable on oath once a month, or oftner if required. Surplus, or so much as necessary, laid out in amending said highway. Allowance to collectors not exceeding twenty pounds a year, to surveyors two shillings a day; clerk or treasurer thirty pounds a year. For not accounting and paying, imprisonment.

XIII. *sect.* 7. Where not sufficient materials in adjoining waste or common, raised by order of five trustees in any grounds, not being garden, orchard, yard, meadow, or avenue to an house, paying for the same; upon any difference assessed by a jury.

XIV. *sect.* 8. Annoyances removed on owner's neglect ten days after notice in writing.

XV. *sect.* 9. May make causeways and drains through grounds contiguous, erect arches, and widen said road; surveyors after ten days notice to owners or occupiers may scour ditches, and by warrant of five trustees levy the charge.

XVI. *sect.* 10. Eleven trustees may carry on said road in direct lines, and agree for a recompence out of the tolls; on disagreement or disability finally ascertained by a jury.

XVII. *sect.* 11. Twelve trustees may raise money by mortgage of said tolls, applied only to repair said road and build necessary bridges.

XVIII. *sect.* 12. Five trustees may give orders for payment of growing interest; not to exceed forty pounds.

XIX. *sect.* 13. Orders transferred by indorsement, on notice to and entry by treasurer without fee, and so *toties quoties*.

XX. *sect.* 14. All orders numbered.

XXI. *sect.* 15. Tolls applied to pay interest of money borrowed, and towards repairing the road; surplus to discharge the principal.

XXII. *sect.* 16. Toll paid only at the first gate, once the same day.

XXIII. *sect.* 17. Persons disposing and receiving tickets to avoid toll, on conviction on oath before five trustees or a justice forfeit ten shillings.

XXIV. *sect.*

XXIV. *sect.* 18. Fifteen truſtees at meeting may farm ſaid tolls, not above three years.

XXV. *ſect.* 19. Toll not demanded for materials for the road, corn in ſtraw, hay from a meadow to the haggard, implements for huſbandry in the pariſhes thro' which the road runs, beaſts going to water, the mail, ſoldiers on march.

XXVI. *ſect.* 20. Continued 61 years from 1 May 1768, unleſs before the road ſufficiently made, and all money paid.

XXVII. *ſect.* 21. Five truſtees on death or removal may appoint others.

XXVIII. *ſect.* 23. No truſtee to accept place of profit, nor contract for the road.

XXIX. *ſect.* 24. Five truſtees may compound, within one Iriſh plantation mile of any gate. No gate nearer Liſtowel than one mile.

XXX. *ſect.* 25. Actions laid in county of Kerry or Limerick. Defendants may plead general iſſue, and have treble coſts.

XXXI. *ſect.* 26. This a public act.

XXXII. *Stat.* 7 *Geo.* 3. *cap.* 13. *ſect.* 1. Truſtees in the former act and herein after named, or any ſeven, may during the 41 years by ſaid act and for the further term of 41 years, and to the end of the then next ſeſſion, take in lieu of the tolls in ſaid act the tolls following; every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by ſix horſes, geldings, mares, mules, or aſſes two ſhillings; by four, one ſhilling and ſix pence; by two, one ſhilling; a chair or chaiſe by one beaſt of draft, four pence; a waggon or carriage with four wheels (except as before) nine inches broad at the ſoal, and the ſtrakes ſet on with flat nails, drawn by three or more beaſts, ſix pence; with two wheels, by two or more beaſts, three pence; with four wheels narrower than nine inches and the ſtrakes ſet on otherwiſe, ten ſhillings; with two wheels narrower than nine inches or the ſtrakes ſet on otherwiſe, by two or more beaſts five ſhillings; a cart or car with one beaſt, the wheels three inches at the ſoal, ſet on with flat nails, three halfpence, if narrower, or the ſtrakes otherwiſe, one ſhilling; a horſe, mare, gelding, mule, or aſs, with or without a rider, one penny; a drove of oxen, cows, or neat cattle, twenty pence *per* ſcore; calves, hogs, ſheep, goats, or lambs, ten pence; a carriage with millſtone, the wheels nine inches and the ſtrakes with flat nails, one ſhilling; if narrower, or the ſtrakes otherwiſe, ten ſhillings: ſaid tolls liable to pay ſums borrowed purſuant to ſaid act and the intereſt, and ſuch further ſums not exceeding two thouſand pounds, as ſhall be borrowed for the road. 9 G. 2. c. 17. amended; additional truſtees and tolls.

XXXIII. *ſect.* 3. Truſtees named.

XXXIV. *ſect.* 4. Eleven truſtees may from time to time where neceſſary appoint others.

XXXV. *ſect.* 5. Truſtees to be actually in poſſeſſion of forty pounds yearly freehold, or eight hundred pounds perſonal, and ſwear thereto before five at a board if required.

XXXVI. *ſect.* 6. The road divided into two parts.

XXXVII. *ſect.* 7. Toll paid but once a day in either diviſion.

XXXVIII. *ſect.* 8. No toll for carts, cars, or waggons loaded or going to be loaded with corn in ſtraw or hay from the meadow to haggard; nor implements of huſbandry for uſing or repairing in the ſeveral pariſhes; nor cattle to or from water or paſture; the mail; waggoner's or carter's horſe; ſoldiers on march; vagrants with paſſes, or priſoners tranſmitted. Exempt from toll.

XXXIX. *ſect.* 9. Fifteen truſtees at board may give warrants for payment of intereſt; none above fifty pounds.

XL. *ſect.*

XL. *sect.* 10. Assignable by indorsement on notice to and entry by treasurer.

XLI. *sect.* 12. Surplus of the toll after paying interest, salaries, and repairing the road, applied to the principal.

XLII. *sect.* 19. This a public act.

In Ulster vestry presentments yearly;

XLIII. *Stat.* 11 & 12 *Geo.* 3. *cap.* 9. *sect.* 1. Whereas many public roads in Ulster cannot without great expence and waste of ground be made of the breadth required by 5 G. 3. c. 14. a vestry shall and may be held in every parish or union in Ulster on the first Tuesday, Wednesday, or Thursday after feast of St. Michael yearly in the church, or at some place in such parish or union appointed by the rector, vicar, or officiating curate, where no church; and the protestant parishioners in such vestry or major part shall and may present such sums to be raised on such parish or union, as they think necessary, not less than one penny, nor exceeding two pence, each acre, at the rate upon the several owners and occupiers of lands and houses as the same have been usually rated at in vestry-presentments, for amending or repairing the roads in or through said parish or union for the ensuing year; and chuse one or more proper overseers to take care, that the money shall be properly expended in amending or repairing as directed by such vestry; and allow overseers any sum not exceeding eighteen pence a day each for wages while employed; and appoint one or more collectors, and allow not exceeding twelve pence *per* pound for collecting; and chuse one or more directors of said roads, and two or more applotters; each of which applotters shall in one month after presentment swear before a justice of the county according to best of his skill, knowledge, and judgment, without favour or partiality justly applot the several sums so presented or assessed on occupiers of land in said parish or union; and in two months after presentment or assessment shall accordingly applot, and return applotment to the rector, vicar, or officiating curate, signed by them, and afterwards by rector, vicar, or curate, and delivered to said collectors, which shall be sufficient warrant to them to levy. If any refuse the sum he ought to pay according to applotment, collectors may levy by distress and sale of goods, rendering overplus. The money collected paid to such directors, who shall pay such money to such overseer or overseers in such shares and proportions and at such times, as they think proper. Such directors at such vestry next year shall account fully and faithfully on oath administered by rector, vicar, or curate, for all sums received or expended.

not under 1 d. nor above 2 d. per acre, for repairing;

overseers 18 d. a day each;

collectors 12 d. per pound;

applotters sworn;

Payment to directors.

Accountable next vestry.

Oath at vestry if desired, of being protestant parishioner, worth 20 l.

XLIV. *sect.* 2. None shall have right to vote at such vestry, till he has first taken the following oath or (if a quaker) solemn affirmation, administered by said rector, vicar, or curate, if desired by any parishioner; *viz.* "I A. B. do swear or, "if a quaker) do solemnly affirm, that I am a protestant parishioner of this parish, "and that I am worth twenty pounds over and above all the debts, I owe."

On neglect of vestry and presentment the 6 days labour inforced.

XLV. *sect.* 3. If any parish or union in Ulster neglects or omits to hold such vestry and make such presentment, from thenceforth and for and during such year or years as they shall omit or forbear, the several acts, which were repealed by said act, and by virtue whereof the six days labour were before said act inforced and applied to the making and repairing the roads, shall in all such articles and clauses thereof or any way related to the said six days labour be in full force within said parish or union, and said six days labour shall be inforced and applied to making or repairing the roads according to provisions and regulations of said acts, during such time as said parish or union omit or forbear, any thing in said act 5 G. 3. in any wise to the contrary notwithstanding.

XLVI. *sect.* 4. Whereas great inconvenience felt in Ulster from difficulty in finding collectors duly qualified to collect the public money pursuant to 5 G. 3. by which great arrears incurred; as often as grand jury of any county in Ulster neglect or omit to appoint a collector for any barony, treasurer of such county shall issue warrant to the high constable to levy such sum, as shall be cessed and applotted on the barony within his district, together with any sum that may have remained in arrear on such barony by any former neglect of appointing collector; which warrant high constable is to execute, and collect and levy the sum applotted off the barony, and pay over to the treasurer on or before first of next assises, and allowed for his trouble in collecting sixpence in the pound in like manner as collectors appointed by grand juries.

On neglect to appoint collectors as by 5 G. 3. c. 14. s. 19. high constable to levy on treasurer's warrant at 6d. per £.

XLVII. *Stat.* 11 & 12 *G.* 3. *cap.* 20. *sect.* 1. Whereas no provision is made for the making or repairing narrow roads, suitable to the situation and circumstances of mountainous tracks of land. After the 24th of June next it shall be lawful for the grand jury of any county at the assizes to present such sums, as they shall think fit, to be raised upon any barony or half-barony in such county, for the making new or repairing old roads through any mountainous unimproved parts of such barony or half-barony, of such a breadth, with stones or gravel, and of such breadth between the ditches, drains, or fences, as to the grand juries of each respective county in which such lands lie, shall seem suitable to the nature of the place, through which such road shall run, and as shall be ascertained in the presentment for that purpose; as also for the wages of the overseer or overseers of every such road, not exceeding three pence each perch so to be by him made or repaired according to this act; any thing to the contrary in any former law or statute, in any manner notwithstanding.

Barony presentment for new, or repairing old, roads thro' mountainous unimproved parts, with stones or gravel,

breadth suitable to the place,

ascertained in presentment; overseers wages not above 3d. per perch.

XLVIII. *sect.* 2. No money shall be so presented, unless an affidavit previously made by two credible persons, who can read and write, before one of the judges of assize, or before two justices for said county, who are hereby impowered to administer the same in the following form.

Affidavit by 2 before judge of assise or 2 justices.

*County of* } A. B. *of* *and* C. D. *of*
*do swear, that they have lately viewed and measured*
*perches of a road from* *to*
*between* *and* *all in the barony of*
*in said county, and that it will require the sum of* *to make*
*and repair the said* *perches of road*
*wide in the clear, and* *feet wide, at the least, with stones or gravel,*
*being at the rate of* *by the perch, which they verily believe is the*
*least the said* *perches can be sufficiently so made and repaired for, and*
*that the said road is in a mountainous unimproved part of said barony, where such*
*road is much wanting, and where the expence of making a wider road would be an un-*
*necessary charge on said barony:*

Which affidavit the clerk of the crown is required to file, and keep amongst the records of such county; and no money shall be paid on account of any such presentment by the treasurer of any county, until the affidavit of one of the overseers, appointed by the grand jury, sworn before one of the judges of assize, and in the following form, shall be allowed of by the grand jury, and judges of assize.

Filed and kept by clerk of the crown; affidavit of one overseer, before a judge of assise, allowed by grand jury and judges of assise.

*County*

*County of* } *Whereas the ſum of* *was preſented by the grand-jury of ſaid county, at* *aſſizes, in the year* *to be expended in making and repairing* *perches of the mountain road, from* *to* *between* *and* *feet wide in the clear, and* *feet wide at the leaſt, with ſtones or gravel, being at the* *rate of* *by the perch. Now* I A. B. *one of the overſeers appointed by the grand jury, do ſwear, that I have honeſtly and faithfully expended, or cauſed to be expended, the ſum of* *in making and repairing* *perches of the ſaid road, and that the ſaid* *perches, and every part of the ſame, are made* *feet wide at the leaſt, with ſtones or gravel, and are* *feet wide in the clear, within the ditches, drains, or fences; and that the ſaid ſum, with my wages, at* *per perch, amounts to*

No preſentment for fences.

XLIX. *ſect.* 3. No ſums ſhall be preſented or levied upon any barony or county for making any fence or fences by the ſide of ſuch mountain roads as aforeſaid.

Not county of town.

L. *ſect.* 4. This act ſhall not extend to any county of a city or town.

Old road weſt of the Griffin ſtopped as ſoon as the new road finiſhed.

LI. *Stat.* 11 & 12 *Geo.* 3. *cap.* 35. *ſect.* 1. Whereas a new bridge has been built at the expence of the county of Dublin near Lucan: and Agmondiſham Veſey has undertaken, that the road from ſaid bridge, ſhall be carried without any expence to the county through his eſtate in a ſtraight line to Thomas Lynche's houſe, where it will interſect the turnpike road; as ſoon as the ſaid new road finiſhed, it ſhall be lawful for the ſaid Agmondiſham Veſey to ſtop and incloſe that part of the old road, which lies on the weſt ſide of the little river, called the Griffin.

A public act.

LII. *ſect.* 2. This act deemed a public act, and judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever without ſpecially pleading the ſame.

## Hoſpitals.

5 G. 3. c. 20. amended. Biſhops, &c. with conſent of chapter, corporate bodies, may leaſe in perpetuity and reverſion not above 2 acres for county-infirmary.

I. *Stat.* 7 *Geo.* 3. *cap.* 8. *ſect.* 1. Every archbiſhop, biſhop, dignitary, prebendary, having any lands near any town and convenient for the ſite of any county-infirmary, with conſent of his dean and chapter, under common ſeal, and the governors of any charity being a corporate body, and all other corporate bodies having lands ſo ſituated, may make leaſes under their corporate ſeals in perpetuity and in reverſion on the expiration of any ſubſiſting leaſe, to the reſpective governors of any county infirmary or hoſpital of any quantity of ground not exceeding two acres, or of one or more houſes contiguous with each other at a reaſonable rent; which leaſes ſaid governors are hereby impowered to take for erecting an infirmary or hoſpital for any county; and for converting ſuch houſe or houſes into an infirmary or hoſpital for any county.

Phyſicians examined, and certificate from the college.

No perſon ſhall be appointed phyſician to any county-infirmary, who ſhall not be examined and certified, to be duly qualified under ſeal of the college of phyſicians in Ireland.

# Infants deſerted.

I. *Stat.* 11 & 12 *Geo.* 3 *cap.* 15. *ſect.* 1. In every city except Dublin and Cork, a veſtry ſhall be held annually in every pariſh in the firſt week of June, of which publick notice ſhall be given by the miniſter or his curate, at leaſt ſix days previous, excluſive of the day of giving ſuch notice, and day of holding ſuch veſtry; and the miniſter or curate, church-wardens, and pariſhioners ſhall at ſuch veſtries reſpectively annually chooſe three overſeers out of the inhabitants of every ſuch pariſh.

Three pariſhioners choſen overſeers, in annual veſtry firſt week in June, in every pariſh in cities except Dublin and Cork, on 6 days notice by miniſter or curate.

II. *ſect.* 2. Such overſeers ſhall take up and provide for maintenance and education of all ſuch children, as ſhall be ſo deſerted and expoſed within their reſpective pariſhes; provided always, that no more ſhall be allowed than five pounds for each child.

To take up and provide for deſerted children: not above 5l. each.

III. *ſect.* 3. And that the expence of maintaining ſuch children may be equally borne by the inhabitants reſpectively, the overſeers of every pariſh in ſuch cities reſpectively ſhall from time to time, as occaſion ſhall require, aſſemble, and ſettle and determine, what ſums ſhall be raiſed upon the inhabitants reſpectively, for maintaining and educating ſuch deſerted children; and ſuch overſeeers, or the major part, ſhall at ſuch meetings equally and impartially aſſeſs ſuch ſums ſo to be raiſed upon the inhabitants of the ſeveral houſes within ſuch cities reſpectively, according to the miniſter's money payable out of ſuch houſes; and where ſuch houſes are not rated to the miniſter, valued by ſuch overſeers, or the major part, and rated accordingly.

Overſeers to ſettle ſums to be raiſed, aſſeſſed as miniſter's money, or houſes valued by overſeers.

IV. *ſect.* 4. Such overſeers within their pariſhes, or perſons appointed by them, ſhall collect the ſeveral ſums ſo aſſeſſed, and apply the ſame for maintenance and education of ſuch deſerted children within their pariſhes; and if any occupier of any houſe refuſe or neglect to pay the ſum aſſeſſed, two days after demand, the ſame ſhall be levied on every ſuch occupier by diſtreſs and ſale of goods, by warrant under hands and ſeals of ſuch overſeers, returning the overplus, if any, after deducting all charges attending the ſame to the owner.

Collected by overſeers or perſon appointed, applied for ſuch children, on non-payment 2 days after demand levied by diſtreſs and ſale on occupiers.

V. *ſect.* 5. Such overſeers ſhall return a quarterly account to their pariſh miniſters, or curates, upon oath, which oath ſuch miniſters and curates are hereby impowered and required to adminiſter, of the ſums ſo levied, and how the ſame applied.

Quarterly returns on oath to miniſter or curate.

VI. *ſect.* 6. If any overſeer happen to die within the year, for which ſo choſen, another ſhall be choſen in his room within ten days after his deceaſe, at a veſtry for the pariſh, in which he was overſeer, of which four days previous notice at leaſt ſhall be given by the miniſter or his curate.

Dying within the year another choſen in 10 days at veſtry on 4 days notice.

VII. *ſect.* 7. Every ſuch overſeer ſhall, within ſix days after ſo elected, take an oath before the chief magiſtrate of the city, in which ſo elected, which oath ſuch chief magiſtrate is impowered and required to adminiſter, that he will fairly and juſtly, without favour or affection, aſſeſs ſuch ſums, as may be neceſſary to be raiſed for the purpoſes aforeſaid.

Oath by overſeers in 6 days before chief magiſtrate.

VIII. *ſect.* 8. The overſeers in every ſuch city ſhall enter, or cauſe to be entered, in a book for the purpoſe, a regular account of the ſums, from time to time by them directed to be raiſed for the purpoſes aforeſaid, and of the names of the perſons upon whom to be levied; and copies of ſuch entries, lodged by ſuch overſeers, ſhall be delivered to the miniſters of the reſpective pariſhes, or their curates, to which all the pariſhioners of ſuch pariſhes reſpectively, may have recourſe at all ſeaſonable times.

Entry by overſeers of ſums and perſons on whom,

copies to miniſter or curates, reſorted to by pariſhioners.

IX. *ſect.* 9. If the pariſhioners of any ſuch pariſh ſhall at ſuch veſtry refuſe or neglect to elect three ſuch overſeers, the miniſter, or in his abſence his curate, ſhall name

On neglect of Pariſhioners named by miniſter or curate.

name three for ſuch pariſh; which ſhall be veſted with the ſame powers, as if elected by the pariſhioners.

General iſſue, X. *ſect.* 10. If any action or ſuit commenced or proſecuted againſt any perſon for any thing done in purſuance of this act, the defendant may plead the general iſſue, and give this act and the matter in evidence; and this act deemed a

A publick act. publick act, and judicially taken notice of as ſuch.

## Inland Navigation.

Subſcription opened for 100001. I. *Stat.* 7. *Geo.* 3. *cap.* 26. *ſect.* 1. The corporation ſhall on or before the firſt of June next, open a ſubſcription for carrying on and compleating the navigation of the Shannon, from Limerick to the deep navigable water above Killaloe, and the ſame ſhall be kept open till 100001. ſhall be ſubſcribed.

20 *per cent.* paid in a month, or new ſubſcription. II. *ſect.* 2. Such ſubſcribers ſhall within one calendar month after cloſing, pay in twenty pounds *per cent.* to perſons appointed by ſaid corporation; in default thereof the ſubſcription of every perſon failing ſhall be abſolutely void to all intents; and ſaid corporation ſhall open a new ſubſcription for filling up ſuch deficiency, and proceed as before directed.

Not under 501. III. *ſect.* 3. None admitted to ſubſcribe leſs than fifty pounds.

Certificates given. IV. *ſect.* 4. Said corporation ſhall give ſubſcribers after paying 201. *per cent.* a certificate under ſeal mentioning ſums reſpectively ſubſcribed and paid.

A company and body corporate. V. *ſect.* 5. As ſoon as twenty pounds *per cent.* paid in, ſuch ſubſcribers united and erected into one company for carrying on ſaid navigation, and thenceforth one body politic and corporate by name of the Company of Undertakers for making the river Shannon navigable, have perpetual ſucceſſion, and common ſeal, and by that name ſue and be ſued.

Meet at Limerick, adjourn, make or vary by-laws. VI. *ſect.* 6. Said company from time to time, as often as occaſion, may aſſemble in Limerick and adjourn, and at ſuch aſſemblies or adjournments make by-laws, rules, and orders for better government of their affairs and members, making contracts and agreements, and appointing ſervants and perſons for carrying it on, and vary or repeal the ſame and make new ones, provided all ſuch by-laws, and orders conſiſtent with law, and eight days notice at leaſt, including the day of notice and

8 days notice. of meeting, be given of the time and place of ſuch aſſemblies in the publick news papers of Limerick.

Joint ſtock 100001. in 501. ſhares., further ſubſcriptions added. VII. *ſect.* 7. The joint ſtock of ſaid company ſhall be the ſaid ten thouſand pounds ſubſcribed, and divided into ſhares of fifty pounds each, if neceſſary to ſubſcribe further, for compleating ſaid navigation, ſuch further ſums ſubſcribed ſhall be added to and become part of the joint ſtock.

One vote every 5 ſhares. VIII. *ſect.* 8. None ſhall vote at aſſembly or intermeddle in any ſort, unleſs he has in his own name or right, or in right of teſtator, or inteſtate at leaſt five ſhares of ſuch joint ſtock; every member ſhall have one vote for every ſuch five ſhares;

proxy, under ſeal, and members, who have right to vote, may appear in perſon or by proxy by writing under hand and ſeal; and majority of votes determine all matters; and if an equa-

chairman caſting vote. lity, chairman ſhall have a caſting vote beſides his vote as member,

7 preſent. IX. *ſect.* 9. At every aſſembly there ſhall be preſent in perſon or by proxy ſeven members at leaſt, who have a right to vote.

Proceedings entered. X. *ſect.* 10. All accounts and tranſactions regularly and fairly entered in books for that purpoſe, to which every perſon having in his own name and right any ſhare, or his repreſentatives, may have acceſs at all reaſonable times to inſpect.

XI. *ſect.*

XI. *ſect.* 11. Said corporation ſhall pay ſaid company or perſons authorized to receive the ſum of ſix thouſand pounds, and alſo ſuch ſums as ſhall have been paid in upon ſubſcriptions, to be applied by them in carrying on ſaid navigation, and accounted for to parliament. Money paid to the company, accounted for to parliament.

XII. *ſect.* 12. The ſeveral lands, tenements, and hereditaments, bridges, locks, ſluices, drains, banks, dams, towing paths, and other ways, now veſted in ſaid corporation for ſaid navigation, and all materials and utenſils provided before firſt of June next for ſaid work, and all ſums granted for carrying it on, and which remain unapplied, ſhall immediately after ſuch company erected be veſted in ſaid company and ſucceſſors, who ſhall be inveſted with, hold, and enjoy all powers, privileges, advantages, and authorities in all things for carrying on ſaid navigation, as are now veſted in ſaid corporation by ſeveral acts in this kingdom, ſubject to the reſtrictions in ſaid acts, and from time to time to the controul of ſaid corporation. Works &c. veſted in the company, and powers.

XIII. *ſect.* 13. Said company not ſubject to any debt or damages incurred before 1 June next, by ſaid corporation or by perſons acting under their authority. Not ſubject to former debts.

XIV. *ſect.* 14. In conſideration of expence and trouble in making and maintaining ſaid navigation, ſaid company and ſucceſſors, may receive and ſue for every veſſel navigating ſaid river between Limerick, and O'Brien's bridge, upwards or downwards, in which any goods, merchandizes, or commodities carried fifteen pence every tun, and for each paſſenger two pence; for every veſſel to or from Killaloe, or the deep navigable water above, in which ſuch goods carried, two ſhillings and ſix pence *per* tun, and every paſſenger four pence. Duties received. 15d *per* tun, paſſengers 2d between Limerick, and Obrien's bridge, Killaloe 2s. and 6d. *per* ton, paſſengers 4d.

XV. *ſect.* 15. On refuſal ſaid company or ſervants may diſtrain ſuch veſſels or goods, and diſpoſe as uſual on diſtreſs for non-payment of rent, or recover by civil bill; any diſpute adjuſted by any juſtice of county or city of Limerick, with liberty of appeal to next judges of aſſize for the county, whoſe determination final. Diſtrain as for rent; or civil bill. Diſputes ſettled by a juſtice. Appeal at aſſizes.

XVI. *ſect.* 16. No duty, rate, or cuſtom whatſoever, ſave herein mentioned, for any goods, merchandizes, or commodities by ſaid navigation to Limerick. No other duty for goods to Limerick.

XVII. *ſect.* 17. Veſſels with dung or manure only, or for pleaſure only, pay no duty; with turff only pay no more than two pence *per* tun. Manure and pleaſure boats no duty. Turf 2d. *per* tun

XVIII. *ſect.* 18. Proprietors of ſaid joint ſtock, executors, adminiſtrators, and aſſigns intitled to the tolls, and profits, hereby veſted in ſaid company in proportion to their intereſts, conſidered as perſonal eſtate not ſubject to any of the laws to prevent growth of popery. Intitled in proportion, perſonal eſtate, not ſubject to popery laws.

XIX. *ſect.* 19. Aſſignment of any part of ſaid joint ſtock entered in a book kept for that purpoſe in place appointed by ſaid company. Aſſignments entered.

XX. *ſect.* 20. Aſſemblies convened as before may at all times, as occaſion requires, call upon proprietors to pay in remainder of ſubſcriptions and ſuch further ſums as neceſſary to compleat ſaid navigation, provided ſuch further ſums exceed not in the whole twenty pounds *per cent.* of original ſubſcriptions; if any, their repreſentatives, or aſſigns refuſe or neglect to pay ſums ſo called for within ten days after time appointed by ſuch aſſemblies, notice ſhall be given in publick news papers of Limerick, that ſaid company will ſell by publick cant on a day ſpecified ſuch ſhares; and unleſs before ſaid day ſuch ſums paid, ſaid company or perſon appointed ſhall ſell by public cant, at Tholſel of Limerick ſuch ſhares; the money paid to ſaid company for uſe of ſuch proprietors thenceforth for ever barred of ſuch ſhares, and all profits and intereſt in law and equity, thenceforth veſted in ſuch purchaſers. Calls for ſubſcriptions, on refuſal, 10 days notice, publick ſale of ſhares,

XXI. *ſect.* 21. Such notice at leaſt twenty one days previous to ſale including day of notice and ſale. 21 days notice.

Turnpikes, XXII. *ſect.* 22. Said company may erect turnpikes on any trackway on either ſide of ſaid navigation, and take the following tolls, and diſtrain and ſell as uſual at other turnpikes, every coach, berlin, chariot, or chaiſe drawn by ſix horſes, one ſhilling, by leſs than ſix and more than one, ſix pence; every waggon, cart, or carriage with four wheels, ſix pence; one horſe chaiſe, three pence; every car or cart with more than one horſe two pence; with one horſe, one penny.

the toll.

Ferry over Shannon, XXIII. *ſect.* 23. Toll paid only at one gate, and once the ſame day.

XXIV. *ſect.* 24. May eſtabliſh and keep a ferry over the Shannon from Rebough to the oppoſite ſide, and take following tolls, diſtrain and ſell as uſual in caſes of ferries, every coach, berlin, chariot, or chaiſe by ſix horſes, one ſhilling; by more than one, ſix pence; one horſe chaiſe, three pence; cart or car with one horſe, three halfpence; a horſe, mare, or mule, one penny; every paſſenger, one halfpenny.

toll.

Dividends, XXV. *ſect.* 25. The clear profits to the company from the ſeveral duties hereby veſted in them or otherwiſe, or ſo much as thought proper, ſhall from time to time at Lady day and Michaelmas, or within fifteen days after be paid and divided to and amongſt proprietors of ſaid joint ſtock in proportion to their ſhares and intereſt.

Boat owner's name, abode, and tunnage ſet on. XXVI. *ſect.* 26. Owners of all veſſels navigating ſaid river between Limerick and Killaloe, ſhall cauſe their names and abode with the dimenſions or tunnage to be ſet on ſome conſpicuous part of ſuch veſſels, and in default forfeit forty ſhillings, to any perſon who ſhall ſue by civil bill to his own uſe.

Anſwerable for the crew. XXVII. *ſect.* 27. Maſter of ſuch veſſel and owner anſwerable for any damage or miſchief by any of the crew or perſons belonging to it to any of the navigation-works or the goods laden in ſuch veſſel.

Breaking the works, treble damages. XXVIII. *ſect.* 28. Perſons, who wilfully break or damage any works for uſe of ſaid navigation, being convicted on information or indictment, forfeit to the company treble the ſum neceſſary to repair; aſcertained by the jury who try the offence; and the judge ſhall commit to common goal till offender pays ſuch ſum, ſuch offence may be layed or tried in the county or county of city of Limerick.

General iſſue, XXIX. *ſect.* 29. Perſons proſecuted for any thing done in purſuance of this act may plead general iſſue, and give the ſpecial matter in evidence; and this deemed

a publick act. a publick act.

Duties on coaches, &c. by 3 G. c. 3. continued 7 years from 25 March, 1772. XXX. *Stat.* 11 & 12 *Geo.* 3. *cap.* 4. *ſect.* 1. The ſeveral rates, impoſitions, and duties on coaches, berlins, chariots, calaſhes, chaiſes, and chairs, cards and dice; wrought and manufactured gold and ſilver plate, by an act 3 G. 2. granted and made chargeable, further granted, continued, raiſed, collected; levied and paid to his majeſty for the uſe of the corporation for inland navigation, from 25 March 1772, during the further term of ſeven years thence next enſuing.

Raiſed as by 3 G. 2. c. 3. or 25 G. 2. c. 10. XXXI. *ſect.* 2. All ſaid duties raiſed, collected, levied, and paid as by 3 G. 2. or an act 25 G. 2. for amending the ſame, or by any other law now in force relating to ſaid duties, as fully and effectually as if ſaid acts repeated and re-enacted in this act; and all penalties and forfeitures by ſaid acts or any of them, which ſhall incur during ſaid ſeven years, ſued for, recovered, and applied as by ſaid

ſame penalties. acts; and the ſeveral offenders ſubject to ſuch puniſhment on non-payment as appointed by ſaid acts.

Property tranſferred to ſubſcribers, on a ſcheme propoſed and approved. XXXII. *ſect.* 3. It ſhall be lawful for ſaid corporation, whereſoever it appears to them, that the making or compleating any inland navigation (the property of which is by any law veſted in them) will be too expenſive to be compleated at the publick charge alone, in every ſuch caſe to transfer the property of ſuch navigation or riv-

er

er with its ſoil, banks, drains, houſes, tolls, duties, utenſils, and all other matters appertaining, unto any company of private undertakers, willing to carry on and compleat the ſame, and who ſhall propoſe to ſaid corporation ſuch a ſcheme, as ſaid corporation ſhall at their diſcretion judge beneficial for the publick ſervice, and in which ſcheme ſaid ſubſcribers ſhall propoſe to pay the ſum, at which the compleating ſaid work ſhall be eſtimated, and ſhall alſo propoſe to compleat ſaid work within a certain time limited by ſaid corporation; and in ſuch caſe ſaid corporation out of the ſeveral duties granted by this act, may give ſuch ſubſcribers an aid towards carrying on ſuch navigation, not exceeding in the whole one ſixth part of the ſum, neceſſary for carrying on and compleating ſuch navigation; no payment nevertheleſs to be made by ſuch corporation, on account of or towards any ſuch aid, until ſuch company of ſubſcribers, make it appear to ſatisfaction of ſaid corporation, that ſince the time of entering into the contract, herein after mentioned, there has been ſubſcribed, paid in, and actually expended in and on account of ſaid work, five times ſo much money as ſhall be then demanded, and has been at any time granted by ſaid corporation ſince the time of their entering into ſuch contract for ſaid work, upon which, proof having been made to ſatisfaction of ſaid corporation, they ſhall iſſue their warrant for payment of ſuch ſixth part of the ſum ſo expended.

and 1 6th given as an aid, of ſum expended, on ſufficient proof.

XXXIII. *ſect.* 4. Such property not transferred to ſubſcribers till application firſt made to ſaid corporation at ſome meeting, at which ſeven members at leaſt preſent, who ſhall give publick notice in the Gazette, that they will proceed on ſuch buſineſs, ſpecifying the ſame, on a certain day diſtant thirty days at leaſt from the day on which ſuch notice firſt inſerted in the Gazette, and until ſaid application firſt agreed to at a meeting in conſequence of ſuch notice, at which no leſs than fifteen of ſaid corporation preſent and aſſenting.

7 members preſent,

to give 30 days publick notice

15 to aſſent at meeting.

XXXIV. *ſect.* 5. Every ſuch agreement reduced into writing by deeds executed between ſaid corporation and ſubſcribers; which ſubſcribers ſhall bind themſelves to execution of ſaid work, according to ſuch agreement under a penalty, or under terms of forfeiting all property and benefit in ſaid work, at diſcretion of ſaid corporation.

Agreement in writing, ſubſcribers bound.

XXXV. *Stat.* 11 & 12 *Geo.* 3. *cap.* 24. *ſect.* 1. Whereas ſeveral inconveniencies may be remedied by erecting a lock acroſs the river, from the pier of the long dock, and making the ſpace between ſaid lock and the new bridge, a ſafe and convenient place for ſhips to lie in: it ſhall be lawful for the corporation, for promoting and carrying on an inland navigation, to erect ſuch lock as before mentioned, and to apply ſuch part of the money granted to them by parliament, as they ſhall think proper for that purpoſe, not exceeding one thouſand five hundred pounds in the whole.

The corporation may erect a lock croſs the Shannon from the pier of the long dock,

and apply grant from parliament, not exceeding 1500l.

XXXVI. *ſect.* 2. Said corporation ſhall, from and immediately after the paſſing this act be veſted with all and ſingular the ſame powers, property, and rights, for making ſuch lock, as are at preſent veſted in them by any law for making any inland navigation in this kingdom.

Veſted with all powers as for any inland navigation.

XXXVII. *ſect.* 3. It ſhall be lawful for the corporation, or any perſons authorized by them under their ſeal, as ſoon as ſuch lock compleated, to take and levy upon all ſhips and veſſels, which ſhall come within ſaid lock, or paſs through, any ſums in their diſcretion, not exceeding the following rates, for every ſhip or veſſel belonging to any of his majeſty's ſubjects of twenty tons burthen, or upwards, and not being laden, or in ballaſt only, two pence *per* ton; being laden, or having any cargoe on board, four pence *per* ton; for every foreign ſhip or veſſel not being laden, or

Subjects ſhips of 20 tons or upwards not laden to pay 2d. *per* ton, laden 4d,

foreign not laden 6d.

in

in ballaſt only, four pence *per* ton; being, or having any cargoe on board, ſix pence *per* ton: and in caſe of refuſal to pay ſaid ſeveral rates, it ſhall be lawful for ſaid corporation, and their ſervants, to enter into and diſtrain ſuch ſhips or veſſels, or their tackle or furniture, or the goods therein, for the ſame, and to diſpoſe thereof, as in caſes of diſtreſs for non-payment of rent, or to ſue for and recover the ſame by civil bill.

by diſtreſs or civil bill.

Entry to take dimenſions, diſputes as to tonnage determined by collector, or next officer.

XXXVIII. *ſect.* 4. It ſhall be lawful for the ſervants of ſaid corporation to go on board ſuch ſhip or veſſel to take the dimenſions; and any diſpute concerning the tonnage, ſhall be finally determined by the collector, or in his abſence, by the next ſuperior officer in the port of Limerick, who are hereby reſpectively impowered and required to determine the ſame.

Contract for making the lock and keeping in repair, transfer the property, rights and duties.

XXXIX. *ſect.* 5. It ſhall be lawful for ſaid corporation to contract with any perſons, or body corporate, for making ſuch lock, and keeping in conſtant repair, and finding proper perſons to attend, upon ſuch terms as they ſhall think reaſonable, and for that purpoſe to aſſign and transfer by writing under ſeal of ſaid corporation unto ſuch perſons, or body corporate all or any part of the property, rights, and powers hereby veſted in ſaid corporation, and alſo the duties before mentioned, or any part; and thereupon ſuch property, powers, and duties, or ſuch part thereof as ſo transferred, ſhall be veſted in, held, and enjoyed by the perſons, or body corporate, to whom ſo transferred; any law or ſtatute to the contrary thereof in any wiſe notwithſtanding.

General iſſue,

a publick act.

XL. *ſect.* 6. If any ſuit commenced or proſecuted againſt any perſon for any thing done in purſuance of this act, ſuch perſon may plead the general iſſue, and give the ſpecial matter in evidence; and this act ſhall be deemed and taken to be a publick act, and judicially taken notice of as ſuch.

Subſcribers on certificate of corporation may take any leaſes years of lands neceſſary,

XLI. *Stat.* 11 & 12 *Geo.* 3. *cap.* 25. *ſect.* 4. Every company of ſubſcribers (their plan being firſt approved of by the corporation for promoting and carrying on an inland navigation, and a certificate of ſuch approbation being previouſly obtained under ſeal of the ſaid corporation) ſhall have full power and authority to purchaſe or take any leaſe for any term of years of all ſuch lands, as may be neceſſary for making or carrying on ſuch navigations, and for towing paths, banks, back drains, the ſite of lock-houſes, ware-houſes, mills, or other engines neceſſary or properly connected with ſuch canals, as alſo on red or unprofitable bogs, of ſtripes of ground running parallel with ſuch canals, and on either ſide of the ſame, ſuch ſtrips of bog, nevertheleſs not in any place to extend above twenty perches in depth from the edge of the water of ſuch canal.

bogs not above 20 perches depth from edge of the canal.

Perſonal property, not ſubject to popery laws.

XLII. *ſect.* 5. All ſuch ſubſcriptions, ſhares, and proportions in ſuch partnerſhips and companies ſhall be, perſonal property only, and ſubject to the ſeveral laws affecting the ſame, ſhall not in any degree be ſubject to any of the laws made to prevent the growth of popery.

Duties granted by 27 G. 2. c. 3, and 3 G. 3. c. 6, continued 9 years.

XLIII. *Stat.* 11 & 12 *Geo.* 3. *cap.* 26. *ſect.* 1. The ſeveral duties and impoſitions in 27 G. 2. c. 3. further granted, continued, raiſed, levied, and paid unto his majeſty, his heirs and ſucceſſors, for nine years from the 25th of December 1773, and no longer, in and throughout that part of the diſtrict of Liſburn, commonly known and diſtinguiſhed by the gaugers walks of Belfaſt, Liſburn, Moira, and Hillſborough, including ſuch part or parcel of the manors of Hillſborough, Kilwarlin, Caſtlereagh, and Statneals, as were excepted in the former act; all which additional duties ſhall be levied and collected in the manner, and by ſuch ways and means as appointed by ſaid act of twenty-ſeventh of his late majeſty, and third of his

his preſent majeſty, and every clauſe or article in ſaid acts, or either of them, ſave in ſuch particulars or reſpects as the ſame may be altered by this act, ſhall remain and continue in full force for nine years.

XLIV. *ſect.* 2. Said additional duties, as from time to time brought into the receipt of exchequer, ſhall be paid out without any fee or deduction by the vice-treaſurer or receiver general, upon an order or draft, ſigned by the perſons, who are by the commiſſioners for promoting and carrying on an inland navigation in Ireland appointed local commiſſioners for carrying on the navigation of the river Lagan, or by any ſeven of the perſons hereafter choſen or appointed in their room, or in the room of any of them, local commiſſioners for carrying on ſaid navigation; and all the monies ſo ariſing from ſaid additional duties, ſhall be laid out or expended by ſaid commiſſioners, or their order, in opening a paſſage by water between Loughneagh and Belfaſt, and to no other uſe or purpoſe.

Paid without deduction upon drafts ſigned by 7 local commiſſioners,

laid out in opening a paſſage between Loughneagh and Belfaſt.

XLV. *ſect.* 3. Said local commiſſioners or the perſons appointed in their room, or any ſeven or more, are hereby impowered from to time, and at all times, at any of their ſtated or publick meetings; by writing under their reſpective hands and ſeals, to aſſign over ſaid duties granted by ſaid acts, or by this act, or any part thereof, the coſts and charges whereof are to be borne and paid out of ſuch duties, for any time or term during continuance of this act, as a ſecurity for any money to be borrowed by them for the purpoſes aforeſaid, to ſuch perſon or perſons, or their truſtees, in order to ſecure the re-payment with lawful intereſt, or leſs, if the ſame can be had, or if the ſame ſhall be found more convenient, to iſſue and give receipts or debentures, under hands and ſeals of ſeven or more of ſaid commiſſioners, upon the payment of any ſums of money (no one of ſuch ſums being leſs than fifty pounds) which ſhall be lent and advanced to ſaid commiſſioners for the uſe of ſaid work, to the perſon and perſons who ſhall lend and advance, to be chargeable upon, and payable out of ſaid additional duties, and according to the terms which ſhall be agreed upon between ſuch creditors and ſaid commiſſioners, or any ſeven or more, and ſpecified in ſaid debenture, to make the ſums ſo advanced to bear an intereſt, until the principal ſums ſhall be paid, or to grant or appoint ſuch yearly ſums or annuities to be paid out of ſuch duties, to the perſon or perſons, his, her, or their executors, adminiſtrators, and aſſigns, who ſhall advance any money for all or any part of the term for which ſaid duties are granted, in full diſcharge and ſatisfaction of the principal and intereſt of the ſums to be lent, as ſhall be agreed upon, and ſpecified in ſaid debentures; and every perſon, to whom ſuch debentures given, may by indorſement on debenture transfer the right and benefit; and ſuch indorſement, upon notice to the clerk or regiſter of ſuch commiſſioners, and an entry in the book kept by them, of the orders and proceedings of ſuch commiſſioners, and which clerk or regiſter ſhall upon requeſt without fee or reward make accordingly, and upon requeſt permit to be viewed at the uſual hour or time of his attendance, ſhall intitle the indorſee or aſſignee, or his executors, adminiſtrators, and aſſigns, to the ſole benefit of the ſums ſo transferred or aſſigned by ſuch aſſignees, their executors, adminiſtrators, or aſſigns, and from time to time, as often as occaſion ſhall require, and after ſuch aſſignment made, it ſhall not be in the power of the perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſame, or the ſums thereby transferred or aſſigned, or any part thereof.

Aſſignable by 7 commiſſioners at ſtated meetings as ſecurity for money borrowed,

or debentures given, not leſs than 50l.

tranſferrable by indorſement,

regiſtered,

viewed without fee at uſual time,

ſo from time to time, not after in power of aſſignor.

XLVI. *ſect.* 4. This act adjudged, deemed, and taken as a publick act, and judicially taken notice of by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

A publick act.

XLVII. *ſect.*

Continuance 9 years from 25 December, 1773.

XLVII. *sect.* 5. This act shall shall continue and be in force for nine years from the twenty-fifth of December, 1773, and no longer.

A subscription immediately opened for the navigation from Dublin to the Shannon till 600ool. subscribed,

XLVIII. *Stat.* 11 & 12 *Geo.* 3. *cap.* 31. *sect.* 1. Immediately after this present act shall pass into a law, the corporation for promoting and carrying on an inland navigation, shall open a subscription for carrying on and compleating the navigations from the city of Dublin to the Shannon, or so much thereof, as to the said corporation shall seem expedient; and the said subscription shall be kept open, until sixty thousand pounds subscribed for the purposes aforesaid.

deposite of 5 *per cent.* in a month,

or subscription void.

XLIX. *sect.* 2. Such subscribers shall, within one calendar month after such subscription closed, pay in five *per cent.* of the sums by them respectively subscribed, to such person appointed for that purpose by said corporation; and in default thereof the subscription of every person failing to pay shall be absolutely void to all intents and purposes whatsoever; and said corporation shall open a new subscription for filling up such deficiency, or until the said sum of sixty thousand pounds in the whole shall be subscribed, and a deposite of five *per cent.* be made thereupon, and shall then proceed therein in the manner herein before described.

Not under 50l.

L. *sect.* 3. No person permitted to subscribe less than fifty pounds.

As soon as 5 *per cent.* paid, entered into a company,

a body corporate, named,

may take lands not above 500l. a year, at the time,

grant, alien, or demise,

LI. *sect.* 4. As soon as five *per cent.* upon such subscription paid as aforesaid, such subscribers shall be united and erected into one company for carrying on said navigation, and from thenceforth be one body politick and corporate by name of the Company of Undertakers of the grand canal, and have perpetual succession, and a common seal, and by that name sue and be sued, and thenceforth capable in law to purchase and take messuages, lands, tenements, and hereditaments, not exceeding the value of five hundred pounds a year at the time of such purchase, and to grant, alien, demise, or dispose of the same, or any part at their free will and pleasure, and said company shall thenceforth by virtue of this act be fully empowered by themselves, their agents, overseers, workmen, and servants to carry on and compleat said canal, and such communication, as to said company shall seem most convenient, between said canal and the river Liffey, and also a communication or canal between said grand canal and the navigable parts of the Barrow, together with the navigation of said river Barrow, from the sources thereof to the bridge of Athy, and to join the said grand canal with the Boyne, if such junction shall to said company seem expedient. And said company shall in like manner be empowered to open all rivers, and make all such out-lets, off-branches, cuts and navigations, trenches, passages, dams, and wires as may by such company be judged necessary for carrying on said works, or for supplying said canals and navigations with water.

carry on and compleat the canal, and communication with the Liffey, Barrow, Boyne, if such intention expedient,

open all rivers,

make outlets, cuts, &c.

Assemble in Dublin from time to time, and adjourn,

make bye-laws and orders,

appoint servants,

vary or repeal,

settle wages,

impose fines, no above 5l. one offence,

bye-laws in writing under seal

LII. *sect.* 5. It shall be lawful for said company from time to time, as occasion shall require, to assemble in the city of Dublin, and adjourn such assemblies; and at such assemblies or adjournments make such bye-laws, rules or orders for better government of their affairs and members, and making such contracts or agreements, and appoint such servants and persons for carrying on said navigation as they shall think fit, and to vary and repeal such bye-laws, rules, and orders, and make new ones for the good and orderly using of said navigation; and for settling the wages, and well governing the bargemen, watermen, and boatmen, who shall convey any goods thereon, and to impose reasonable fines and forfeitures to be levied by such ways and means as the company shall direct; so as no such fine shall exceed five pounds upon any person for one offence; and the said bye-laws, being put into writing under seal of said company, shall be binding to and be observed by all parties, and be sufficient in any court of law or equity to justify

juſtify all perſons, who ſhall act under the ſame, or in levying any penalty of forfeiture thereby incurred.

binding and a juſtification in any court.

LIII. *ſect.* 6. Said bye-laws ſhall not be contrary to laws and ſtatutes of this realm, but approved by the chancellor, chief juſtice of the king's bench, chief juſtice of the common pleas, and chief baron of the exchequer, or any two of them.

Bye-laws approved by the chancellor and three chief judges, or any two.

LIV. *ſect.* 7. Eight days notice at leaſt, including the day of notice and day of meeting, previous to ſuch meeting ſhall be given at the time and place of holding ſuch aſſemblies in ſuch publick news papers of the city of Dublin, as ſhall be agreeed on by ſaid company.

8 Days inclusive notice of meeting advertiſed.

LV. *ſect.* 8. Any perſon, who ſhall think himſelf aggrieved by any order or judgment in purſuance of any ſuch bye-law, may complain within ſix months then after to the juſtices at quarter ſeſſions in the county, wherein ſuch bye-laws ſhall be carried into execution, or in the county of the city of Dublin, who ſhall in a ſummary way hear and determine ſuch complaint at ſuch ſeſſions; and, if they ſee cauſe, may mitigate or alter ſuch fines or forfeitures, and order any money to be returned, which ſhall have been levied or paid in purſuance of ſuch bye-law; and alſo order ſuch ſatisfaction, and give ſuch coſts to the party injured, as they ſhall judge reaſonable.

Appeal in 6 months to quarter ſeſſions,

where fines mitigated and ſatisfaction and coſts ordered.

LVI. *ſect.* 9. The joint-ſtock of ſaid company ſhall be ſixty thouſand pounds, together with all ſuch further ſums (not exceeding in the whole one hundred and fifty thouſand pounds) which ſhall be ſubſcribed, and upon which ſuch payment of five *per cent.* ſhall be made within one calendar month from the time ſuch original ſubſcription ſhall be cloſed; and alſo ſuch other ſums, as ſaid company at ſome general meeting, ſhall judge neceſſary to be raiſed by ſubſcription for carrying on ſaid work; which ſums, when ſubſcribed, ſhall be added to and become a part of the joint-ſtock of ſaid company.

Joint ſtock 60000l. with further ſubſcriptions not exceeding 150000l.

LVII. *ſect.* 10. The joint-ſtock of ſaid company ſhall be divided into ſhares of fifty pounds each.

Divided into 50l. ſhares.

LVIII. *ſect.* 11. And whereas ſaid ſubſcribers cannot enjoy the full profits of ſaid undertaking until the ſame be compleated; but their monies advanced muſt for ſome time remain without producing any intereſt to themſelves, and it is not reaſonable, that future ſubſcribers ſhould reap the benefits of ſaid work, upon the ſame terms with thoſe, who ſhall have borne the principal part of the hazard and loſs, which at firſt may be incurred; if at any time after one calendar month next enſuing the cloſing of the ſaid original ſubſcription ſaid company ſhall be minded to enlarge their capital ſtock, and their original ſubſcriptions ſhall at ſuch time be valued above par, or at more than the ſum originally ſubſcribed, ſaid company are impowered from time to time to cauſe new ſhares of fifty pounds each in the ſaid joint-ſtock to be made out, and to ſell the ſame to any ſubſcribers at ſuch rate, as ſaid company ſhall appoint or by publick cant; and the ſaid ſums ſo ſubſcribed ſhall be added and become part of the joint-ſtock of ſaid company.

New ſhares of 50l. each may be made out and ſold to new ſubſcribers, and added to joint ſtock.

LIX. *ſect.* 12. No perſon ſhall vote at any aſſembly of the ſaid company, or have any right to intermeddle in any ſort in the affairs of ſaid company, unleſs he or ſhe ſhall have in his or her own name and right, or in right of teſtator or inteſtate, at leaſt five ſhares of ſuch ſtock; and every member ſhall have one vote in all ſuch aſſemblies for every five ſhares of the firſt twenty ſhares, he or ſhe ſhall have in ſuch joint ſtock; and the reſpective members, who ſhall have a right to vote at ſuch aſſemblies, may appear either in perſon or by proxy appointed by inſtrument in writing under their reſpective hands and ſeals; and the majority of votes at ſuch aſſemblies ſhall determine all matters in queſtion; and if an equality of votes, the chairman ſhall have a caſting vote beſides his vote as a member.

5 ſhares to intitle to vote or intermeddle.

vote by proxy under ſeal, determined by majority, caſting vote to chairman.

go having right to vote muſt be preſent in perſon or by proxy.

LX. *ſect.* 13. At every ſuch aſſembly there ſhall be preſent in perſon or by proxy fifty members at leaſt, who ſhall have a right to vote, or otherwiſe ſuch aſſembly ſhall have no power to carry into execution any of the powers or authorities hereby given.

None to have in his own right above 4 votes, lord mayor, &c. to have 20, ſo long as poſſeſſed of 100001. capital ſtock, may appoint 20 to attend.

LXI. *ſect.* 14. No perſon ſhall have in his own right more than four votes in any ſuch aſſembly; and the lord mayor, ſheriffs, and citizens of Dublin, who have engaged to ſubſcribe ten thouſand pounds, ſo long as they ſhall continue to be poſſeſſed of ſaid capital ſtock of ten thouſand pounds towards ſaid work, ſhall have twenty ſuch votes in every ſuch aſſembly; and it ſhall be lawful for ſaid lord mayor, or aldermen, and citizens, to appoint any number of perſons, not exceeding twenty, to attend for them at all ſuch aſſemblies, and to vote, and in all reſpects act like other ſubſcribers to ſaid joint ſtock.

Proceedings entered, inſpected by any having a ſhare in his own right.

LXII. *ſect.* 15. Accounts, tranſactions, and proceedings of ſaid company ſhall be fairly and regularly entered in books for that purpoſe, to which every perſon having in his own name and right any ſhare in ſuch joint ſtock, or his or her repreſentatives, may have acceſs at all reaſonable times to inſpect.

The Company veſted with like powers, as the corporation,

LXIII. *ſect.* 16. The ſeveral lands, tenements, and hereditaments, waters, water-courſes, bridges, locks, ſluices, drains, banks, dams, roads, towing-paths, and other ways now veſted in ſaid corporation for promoting and carrying on an inland navigation, or now in poſſeſſion and enjoyment of ſaid corporation, for carrying on ſaid navigation between Dublin and the Shannon, and between ſaid grand canal and the bridge of Athy on the river Barrow, and alſo the materials and utenſils which have been or ſhall be provided for carrying on ſaid work; and any, and every

as to money unexpended,

ſum of money heretofore granted for any part of ſaid works, and which may remain unexpended, ſhall, immediately after ſuch company ſhall be ſo erected, be veſted in ſaid company and their ſucceſſors, and ſuch company and their ſucceſſors, ſhall from and after the time aforeſaid be inveſted with, and hold and enjoy all

for the navigation from Dublin to the Shannon,

and ſingular the powers, privileges, advantages, and authorities in all things for the purpoſes of carrying on ſaid navigation from Dublin to the river Shannon, with all the parts, members, and the connections thereof, as are now veſted in ſaid corporation, to enable them to open the communication and canal between the end

from the canal to the Liffey, ſummon juries, to value lands, &c.

of the preſent canal and the river Liffey; and to enable them to ſummon juries, as by the acts are directed, for the valuing any lands, houſes, tenements, and hereditaments, as may be neceſſary for compleating ſaid work, and for making ſuch wharfs, quays, ſtore-houſes, market-houſes, locks, baſons and docks, as may be judged by ſaid company proper for ſaid work; and ſaid company may be enabled to purchaſe and hold ſuch lands, tenements, and hereditaments, for the purpoſes aforeſaid: and further, ſaid company veſted with like powers to

from the canal to the Barrow,

enable them to carry on and compleat the ſaid canal from the grand canal to the river Barrow and the bridge of Athy, and ſo much of the water of ſaid river Barrow, and of the Blackwood, as may be neceſſary for carrying on ſaid navigation, firſt making compenſation for all ſuch mills and lands as may be damaged by ſaid

making compenſation for damage, and to the Boyne.

works, and with powers to purchaſe banks and towing paths neceſſary for ſaid navigation, and with like power to open the communication from ſaid grand canal to the river Boyne.

May purchaſe any houſe or garden.

LXIV. *ſect.* 17. If neceſſary for ſaid company in proſecution of ſaid work, to purchaſe any houſe or garden, they ſhall have full power by this act to purchaſe the ſame, in ſuch manner as hereby impowered to purchaſe any lands or other hereditaments, any exception in any former act notwithſtanding.

Lands, &c. valued by juries, and purchaſe

LXV. *ſect.* 18. All ſuch lands, tenements, and hereditaments, as have at any time heretofore been valued by juries, for carrying on and effecting ſaid grand

canal,

canal, and for which purchaſe money hath not yet been paid or tendered, ſhall be veſted in ſaid company, as fully and effectually to all intents and purpoſes whatſoever, as if ſaid corporation had immediately after ſuch verdicts pronounced judgment on ſuch verdicts, and had paid or tendered the money ſo aſſeſſed; provided the ſaid company ſhall within twelve months from the time of paſſing this act pay, or tender and depoſit, the ſeveral ſums ſo aſſeſſed by the juries.

money not yet paid, veſted in the company, if ſums aſſeſſed paid or tendered in 12 months.

LXVI. *ſect.* 19. In all caſes, where ſaid verdicts have found the value of the lands ſo enquired into at a certain rate by the acre, and at a certain number of years purchaſe, according to the quantity of lands which may be taken, according to ſuch rate, without ſpecifying the preciſe quantity of land which might be wanting, or the exact ſum which ſhould have been paid, all ſuch verdicts heretofore given ſhall be good and effectual to all intents and purpoſes whatſoever; and the ſaid company under ſuch verdicts ſhall have full power to take in ſuch quantities of ſaid lands, as may be neceſſary for ſaid navigation, or for raiſing materials for the ſame, according to ſuch valuations; firſt aſcertaining the quantity of land wanting, or paying, or tendering, and depoſiting the money for the ſame, at the rates in ſuch verdicts mentioned; provided ſuch quantities of land ſhall be aſcertained, and the purchaſe-money paid, tendered, or depoſited as aforeſaid, within twelve months from the paſſing this act.

Verdicts good on aſcertaining the quantity of land and paying purchaſe money in 12 months.

LXVII. *ſect.* 20. Said company, empowered and authorized to cauſe to be valued, and to take in and purchaſe, ſuch portions of bog between the hill Downings and the river Shannon, and between the grand canal and the bridge of Monaſtereven, as they may judge expedient, not exceeding in breadth fifty perches on either ſide from the navigable water of ſaid canals; ſuch valuations and purchaſes to be made in ſuch manner as ſaid corporation are impowered to proceed in purchaſing lands for any navigation according to the laws now ſubſiſting.

Bog purchaſed, not exceeding 50 perches on either ſide from the navigable water.

LXVIII. *ſect.* 21. It may be lawful for ſaid company to take, turn, or draw the waters of the rivulets or brooks, commonly called Blackwood river, Cuſhaling, and Tiguele, and Eſker, and ſuch other brooks and rivulets as may be interſected by ſaid navigations, or any part thereof, together with the ſaid river Morrel, or ſo much as they ſhall judge neceſſary, the ſaid company making ſatisfaction to the proprietors of any mills or bleach-greens on ſaid rivers, rivulets, or brooks, as ſhall receive any damage thereby; provided ſuch mills or bleach-greens were erected before the firſt of March 1772.

Rivulets and brooks interſected may be taken with the Morrel,

ſatisfaction for damage to mills or bleach greens erected before 1 March 1772.

LXIX. *ſect.* 22. It may be lawful for ſaid company to take, turn, and draw from ſuch part of the river Liffey, as ſhall be found moſt convenient above the ford at Millicent in the county of Kildare, into the ſaid canal, ſo much water as they ſhall judge convenient for ſaid works, provided the water ſo to be taken does not exceed the quantity, that would freely flow through a ſluice, ſewer, or circular hole or bore, not more than two feet ſix inches in the clear, and for providing a regular ſupply of water, when neceſſary, from ſaid river to ſaid canal.

Water drawn from the Liffey above the ford at Millicent,

not more than thro' a ſewer of 2 feet 6 inches.

LXX. *ſect.* 23. Said truſtees impowered to make a cut or water-courſe from ſaid canal to ſuch part of ſaid river Liffey as aforeſaid; and at or near the communication of ſuch water or water-courſe with the ſaid river to affix a lock, floodgate, or dam, in which there ſhall be cut a circular hole or bore, not exceeding two feet ſix inches diameter and ſhall fix thereupon a braſs, copper, or iron plate, for the admiſſion of ſuch quantity of water, and no more, except when ſuch locks opened for admiſſion and paſſage of any boat or veſſel.

A water-courſe and lock with ſuch a bore.

LXXI. *ſect.* 24. Such company before ſuch cut or water-courſe may be at liberty to erect one wyre or dam acroſs ſaid river Liffey, ſo as to raiſe the level of the

Wyre acroſs the Liffey,

Purchaſe not here contiguous, ſatisfaction for the land and damage.

the water in ſuch cut or water-courſe to the level of the navigable water in ſuch canal; and to purchaſe any land, not more than one acre, contiguous to ſuch water-courſe or cut; ſaid company firſt making ſatisfaction for the value of ſaid land, and for any ſuch damage as may be done by ſuch wyer or drain, in the manner herein before directed.

Redundant water may be ſet or ſold,

LXXII. *ſect.* 25. Whenever there ſhall be a redundancy of water in ſaid canal, more than may be neceſſary for the uſes of navigation, that it ſhall be lawful for ſaid company to ſet or ſell all ſuch redundant water, or ſo much thereof as they ſhall judge expedient for bleach-greens, mills, or manufactures, or other uſe whatſoever; and to with-hold the ſame from all ſuch perſons as ſhall not pay to ſaid company an adequate compenſation for ſaid water; and that the abſolute and ſole property in ſaid water ſhall be veſted in ſaid company.

ſole property of the water in the company.

Not to draw more from the Liffey than ſufficient for ſaid navigation.

LXXIII. *ſect.* 26. Nothing herein contained ſhall extend to enable ſaid company to draw off from the river Liffey more, than ſufficient for the purpoſe of ſaid navigation; and ſhall not enable them to draw off water for the ſake of ſelling or letting out ſuch water, it being the true intent and meaning of this act, that no water ſhall be ſold, let, or diſpoſed of, other than ſuch as may happen from a caſual redundancy in ſaid canal.

Rates to uſe of the company,

LXXIV. *ſect.* 27. In conſideration of the expence and trouble, which ſaid company ſhall be put to in making and maintaining ſaid navigation, together with off-branches thereof, it ſhall be lawful for ſaid company, and their ſucceſſors, at all times hereafter to aſk, demand receive, and ſue for the uſe of ſaid company the ſeveral rates and duties herein-after mentioned; for every boat, barge, or other veſſel, navigating ſaid navigations, or any part thereof, either upwards or downwards, in which any goods, merchandizes, or commodities, or other matter whatſoever, ſhall be carried, ſuch rates and duties as ſaid company ſhall by their bye-laws ordain and appoint, not exceeding the ſum of three pence for every mile for every ton of the burthen or tunnage of ſuch barge, or other veſſel, or for every ton weight of ſuch goods, merchandizes, commodities, or other matter whatſoever, which ſhall be carried upwards or downwards, at the diſcretion of ſaid company; and for each paſſenger in any ſuch veſſel, any ſum not exceeding two pence, for every mile ſuch paſſenger ſhall be carried, and an additional rate, not exceeding two pence *per* ton, for every lock any ſuch veſſel ſhall paſs through the ſaid communication between ſaid canal and river Liffey.

veſſels navigating up or down with goods,

as ordained by bye-laws, not exceeding 3d per mile per ton, or ton weight of goods,

paſſenger 2d per mile,

2d per ton every lock.

By diſtreſs,

LXXV. *ſect.* 28. In caſe of refuſal to pay ſaid duties, it ſhall be lawful for ſaid company and their ſervants either to diſtrain ſuch boats, barges, or other veſſels, or the goods therein, for the ſame, and diſpoſe thereof as uſual in diſtreſs for non-payment of rent; or to ſue for the ſame by civil bill; in caſe any diſpute ſhall ariſe touching the ſum to be paid for every ſuch rate, the ſame ſhall be adjuſted by any juſtice of the county or city, in which ſuch diſpute, with liberty to appeal to either party from ſuch determination to the next judge of aſſize for the county; or in caſe the ſaid diſpute ſhall ariſe in the city of Dublin, or in the county of ſaid city, to the juſtices of ſaid city at the quarter ſeſſions, whoſe determination ſhall be final.

or civil bill,

diſputes by any juſtice of the county, appeal to judge of aſſiſe, or ſeſſions in Dublin.

No other toll or cuſtom.

LXXVI. *ſect.* 29. No duty, rate, toll, or cuſtom whatſoever, ſave the rates herein mentioned, ſhall be taken for, upon, or out of any goods, merchandizes, commodities, or other matter whatſoever, which ſhall or may be carried by ſaid navigation to or for any place whatſoever.

Tolls, &c. veſted in proprietor to intereſts,

LXXVII. *ſect.* 30. The proprietors of ſaid joint-ſtock, their executors, adminiſtrators, and aſſigns, intitled to the tolls, duties, and advantages, and profits hereby veſted in ſaid company, in proportion to their reſpective intereſts in the joint-ſtock of the ſaid company; ſubject to ſuch charges, as ſaid company ſhall think fit

fit to make for the compleating and preſerving ſaid works, and the ſoil and water of the canals, together with the banks thereof, and ſuch other portions of ground, as the ſaid company are impowered to acquire by virtue of this act; and the ſaid proprietors intereſt therein deemed and adjudged in all courts of law and equity to be perſonal and not real eſtate, and alſo deemed and adjudged in the hands of ſaid proprietors, their executors, adminiſtrators, and aſſigns, not ſubject to or to be affected by any of the laws to prevent the further growth of popery, or ſubject to any diſcovery under the ſame; and no perſon being or becoming a member or ſubſcriber for carrying on ſaid navigations, ſhall thereby, or in reſpect of his intereſt in the capital ſtock of ſaid company, be liable to be a bankrupt, within the meaning of any law concerning bankrupts; nor ſhall the capital ſtock of ſaid company, or the intereſt of any particular member therein, be liable to any foreign attachment.

ſubject to charges, and the ſoil, water, banks, and ground acquired, ſaid intereſt perſonal eſtate, not affected by popery laws, nor bankrupt laws, no foreign attachment.

LXXVIII. *ſect.* 31. It ſhall be lawful for every proprietor of ſuch joint-ſtock to bequeath the ſame, or to aſſign in his life; and every aſſignment, which ſhall be made of any part of the joint-ſtock, ſhall be entered and made in a book for that purpoſe, kept at ſuch place as appointed by ſaid company; and no aſſignment deemed good, until entry in ſuch book.

May be bequeathed or aſſigned, aſſignment entered.

LXXIX. *ſect.* 32. It ſhall be lawful for ſaid aſſemblies convened as before directed, as occaſion ſhall require, to make one or more call or calls upon the ſeveral proprietors of ſaid joint ſtock, to pay in ſuch parts of their ſubſcriptions, as ſaid aſſemblies ſhall think neceſſary for carrying on ſaid works; provided ſuch calls ſhall not exceed twenty pounds *per cent.* on the ſeveral original ſubſcriptions in any one year; and in caſe any of the proprietors, their repreſentatives or aſſigns, ſhall refuſe or neglect to pay the ſum, ſo called for, within thirty days after the time appointed by ſuch aſſemblies for the payment thereof, notice ſhall be given in the publick news papers aforeſaid, that ſaid company will proceed to ſell by publick cant, on ſuch day as ſpecified in ſuch notice, the ſhare of the perſon ſo refuſing or neglecting; and unleſs ſuch perſon ſhall, before the day ſpecified in ſuch notice pay the reſpective ſums ſo called for to ſaid company, or ſuch perſon as they appoint, ſhall ſell by publick cant at the uſual place of ſaid company's meeting the ſhare or ſhares of the perſons ſo refuſing; and the money, for which ſold, ſhall be paid to ſaid company, for uſe of ſuch proprietor; and ſuch proprietor from thenceforth for ever barred from ſuch ſhare and all profits ariſing therefrom, and of all intereſt in the ſame, both in law and equity; and ſuch ſhare, and all profits and advantages ariſing therefrom, ſhall thenceforth be veſted in ſuch purchaſer.

Calls by aſſembly for payment of ſubſcriptions, not exceed 20l. per cent. in one year, on neglect 30 days advertiſed for publick ſale, the money off ſale to the proprietor, the ſhare to purchaſer.

LXXX. *ſect.* 33. Such notice ſhall be given at leaſt thirty days previous to ſuch ſale, including the day of notice, and of ſale.

30 days notice inclufive.

LXXXI. *ſect.* 34. It ſhall be lawful for ſaid company to erect one or more turnpikes upon and acroſs any of the track-ways, which now are or ſhall be made on either ſide of the ſaid navigation, and to take and receive the following tolls, for which they may diſtrain and ſell as uſual at other turnpikes; for every coach, berlin, chariot, or chaiſe drawn by ſix horſes one ſhilling; for every coach, berlin, or chaiſe, by leſs than ſix and more than one, ſix pence; every waggon, two ſhillings and ſix pence; every cart or other carriage with four wheels, ſix pence; every car or cart with one horſe, one penny; every drove of oxen, cows, or neat cattle, twenty pence by the ſcore; of calves, hogs, ſheep, goats, or lambs, ten pence; and ſo in proportion for any greater or leſſer number.

Turnpikes erected on track-ways, and toll taken.

LXXXII. *ſect.* 35. Such toll paid only at one gate, and but once in any one day; and no road, which is now publick, ſhall be thereby obſtructed.

At one gate but once a day, no publick road obſtructed.

LXXXII. *ſect.*

Profits divided at Lady day and Michaelmas, or 15 days after each.

LXXXIII. *sect.* 36. The clear profits, which ſhall ariſe to the ſaid company from the ſeveral duties hereby veſted in them, or otherwiſe, or ſo much thereof as ſhall be thought proper, ſhall from time to time, at Lady-day and Michaelmas, or within fifteen days after be paid to and amongſt the reſpective proprietors of ſaid joint-ſtock in proportion to their ſhares and intereſts therein.

Name and abode of boat owners, &c. and tonnage, painted in capitals, and kept legible, and entered, and boat numbered,

penalty, 40s.

LXXXIV. *sect.* 37. The owner of every veſſel or boat navigating ſaid canal, or any off-branches, ſhall cauſe his, her, or their names and places of abode, and alſo the name of the perſon having care of ſuch veſſel or boat in his place of abode, with the dimenſion or tunnage, to be painted in large capital letters on the upper part of the bow on each ſide of ſuch veſſel or boat, and kept conſtantly legible; and ſaid ſeveral particulars to be entered in a book kept by ſaid company for that purpoſe, and alſo the ſaid boat to be numbered as aforeſaid, or in default thereof every ſuch owner ſhall forfeit forty ſhillings, recovered by any perſon who will ſue.

Owner anſwerable for damage by crew.

LXXXV. *sect.* 38. The owner of every ſuch boat or veſſel navigating ſaid canal, or any off-branches, anſwerable for any damage or miſchief, done by any crew or perſons belonging to ſuch boat or veſſel to any of the works of ſaid navigation, or to any goods laden in ſuch boat or veſſel.

Obſtructing paſſage, abſence from his boat without inevitable accident, forfeit not above 40s.

LXXXVI. *sect.* 39. If any perſon having the charge or management of any boat or other veſſel, or navigating or working the ſame, ſhall lay ſuch boat or veſſel ſo as to obſtruct the paſſage of other boats or veſſels, and ſhall not upon requeſt immediately remove, or ſhall hinder the opening or ſhutting any of the locks, ſluices, dams, or other works, or if the perſon having the care or management of ſuch veſſel ſhall be abſent (unleſs by reaſon of ſome inevitable accident) from the boat or veſſel, to which he belongs, at any time during the courſe of the paſſage on the ſaid canal, cuts, or river, every perſon ſo offending ſhall for every ſuch offence forfeit any ſum not exceeding forty ſhillings.

Throwing in rubbiſh, &c. or laying on the track or bank without conſent, convicted before a juſtice by one witneſs 40s.

if not immediately, to houſe of correction not above 3 months, floating raft 40s. and ſatisfaction for damage.

LXXXVII. *sect.* 40. If any perſon ſhall wilfully throw any ballaſt, ſtones, dung, dirt, rubbiſh, or clay into ſaid canal or cuts, or in any parts of ſaid navigation, or ſhall, without conſent of ſaid company, lay any ſtones, dung, dirt, rubbiſh, brick, lime, timber, or clay, on any track road or bank belonging to ſaid canal or navigation, ſuch perſon being thereof convicted before any juſtice of the county, or county of the city, where ſuch offence committed by the oath of one witneſs at leaſt, ſuch perſon ſhall forfeit to ſaid company forty ſhillings: and in caſe ſuch offender ſhall not immediately after conviction pay ſuch ſum, ſhall by warrant of ſaid juſtice be ſent to the houſe of correction, kept to hard labour for ſuch time as ſuch juſtice ſhall direct, not exceeding three months: and if any perſon ſhall keep any raft or timber or boards floating on ſaid navigation, or any part, without conſent of ſaid company, being convicted before any juſtice as aforeſaid, ſhall forfeit forty ſhillings to ſaid company for any damage thereby.

Sunk boats weighed and detained till payment of expences, if not in 4 days, ſold.

LXXXVIII. *sect.* 41. If any other veſſel ſhall happen to be ſunk, and the owner or perſon having the care ſhall not without loſs of time weigh or draw up the ſame out of the way of other veſſels paſſing upon ſaid navigation, any agent or ſervant of ſaid company may cauſe ſuch boat or veſſel to be weighed or drawn up, and detain until payment of all expences occaſioned thereby; and if any ſuch payment not made in four days, ſhall cauſe ſale to be made for reimburſing ſaid expence or incident charges, and return overplus to owner of ſuch boat or veſſel.

Opening or leaving open locks, &c. 3l.

LXXXIX. *sect.* 42. If any perſon ſhall maliciouſly open, or cauſe to be opened, any lock, ſluice, dam, gate, or water-courſe belonging to ſaid navigation, or ſo leave any of the ſame open or running, after any boat or veſſel ſhall have paſſed any lock belonging to ſaid navigation, or otherwiſe maliciouſly miſpend or waſte the water of ſaid navigation, every perſon for ſuch offence ſhall forfeit three pounds:

and

and if any ſhall wilfully and maliciouſly break down or damage, or cauſe to be broken down or damaged, any of the works, which are already made, or which ſhall be made, for uſe of the ſaid navigation, all ſo offending, and being convicted upon information or indictment, ſhall forfeit to ſaid company treble the ſum neceſſary to be laid out in repairing ſuch damage, which ſhall be aſcertained by the jury, who ſhall try ſuch offence, and the judge before whom ſuch offence ſhall be tried, ſhall commit ſuch offenders to the common gaol, till they ſhall pay ſaid company the ſums ſo aſcertained; ſuch offence ſhall be laid in the county, in which the ſame happened.

breaking or damaging the works, forfeit treble on indictment or information in the ſame county, aſcertained by the jury, impriſoned till payment.

XC. *ſect.* 43. If ſaid company have occaſion at any time to borrow money for carrying on ſaid works, it ſhall be lawful for ſaid company to borrow upon the credit of ſaid works, and their eſtate therein, any ſum not exceeding amount of the ſubſcriptions actually expended on ſaid works, at any rate of intereſt, not exceeding five pounds *per cent. per ann.* and to ſtrike debentures for ſuch ſum ſo borrowed, in ſuch manner as ſaid company by their bye-laws ſhall appoint; which debentures ſhall be an actual charge and lien upon ſuch parts of ſaid company eſtate, as therein ſpecified.

Money borrowed, not exceeding ſubſcriptions actually expended at intereſt not above 5 per cent, debentures ſtruck, a lien on the eſtate.

XCI. *ſect.* 44. If any ſuit commenced or proſecuted againſt any perſon for any thing done in purſuance of this act, ſuch perſon may plead the general iſſue, and give the ſpecial matter in evidence; and this ſhall be deemed and taken a publick act.

General iſſue; a public act.

## Judgments.

I. *Stat.* 11 *Geo.* 3. *cap.* 1. *ſect.* 1. The act 9 G. 2. for more effectual aſſigning of judgments, ſo far as it relates to aſſignment of judgments, ſtatute ſtaple or merchants, and as amended and explained by 25 G. 2. revived and continued, and remain in full force ſo far until 24th of June 1772, and to the end of the then next ſeſſion.

9 G. 2. c. 5. as amended by 25 G. 2. c. 14, revived, to 24 June 1772, &c.

II. *ſect.* 2. All perſons, their executors, adminiſtrators and aſſigns, to whom judgments and ſtatutes, merchant or ſtaple aſſigned ſince the expiration of ſaid acts, intitled to ſue or bring actions in their own names, or to acknowledge ſatisfaction on records of ſuch judgments ſo aſſigned, and have and receive all benefit and advantage of ſaid acts, and of every clauſe and proviſo therein, in as full and ample manner as if they had not expired.

Aſſignees ſince ſaid acts expired may ſue, &c.

III. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19 *ſect.* 3. The act of the ninth of his late majeſty, ſo far as it relates to the aſſignment of judgments, ſtatute ſtaple, or merchant, and as the ſame was amended and explained by the 25th of his late majeſty, ſhall be and remain in force to all intents and purpoſes for ever.

9 G. 2. c. 5. as amended by 25 G. 2. c. 14. perpetual.

## Lace, &c.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 1. *ſect.* 11. No gold or ſilver lace, cambricks, or lawns whatſoever, except of manufacture of Great Britain, ſhall after 25th of December 1771, be imported in any ſhip or veſſel whatſoever under penalty of forfeiture and treble value thereof, and the ſhip or veſſel, with all her guns, tackle, furniture, ammunition and apparel, one moiety to the king, the other to him who ſhall ſeize and ſue by action, bill, plaint, or information in exchequer, wherein no wager of law, protection, eſſoign, or other dilatory plea ſhall be allowed.

Gold or ſilver, cambricks or lawns not imported, forfeiture and treble value with the ſhips, &c.

I. *Stat.*

MUSEUM BRITANNICUM

# Lime.

No lime kiln within the lamps,

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 28. *ſect.* 1. Whereas the burning lime in the city of Dublin, or ſuburbs thereof, is injurious to the health of the citizens; after the 1ſt of May 1772, it ſhall be unlawful, to erect any lime kiln within the publick lamps of the city of Dublin, or the liberties thereof, and if any ſuch lime kiln ſhall be erected after the time aforeſaid, upon complaint to any juſtice of ſaid city, ſuch juſtice ſhall ſummon the perſons, againſt whom ſuch complaint made, to attend before him at ſuch time and place as mentioned in ſuch ſummons, to anſwer ſuch complaint; and in caſe convicted of ſuch offence, by confeſſion, or oath of one or more witneſſes before ſuch juſtice, he ſhall iſſue his warrant to the ſheriffs of the city, requiring them to abate ſuch kiln, which ſuch ſheriffs are hereby impowered and required immediately to do.

on complaint to a juſtice ſummoned,

on conviction, 1 witneſs, warrant to ſheriffs to abate.

General iſſue,

II. *ſect.* 2. If any action or ſuit ſhall be commenced or proſecuted for any thing done in purſuance of this act, the defendants may plead the general iſſue, and give the ſpecial matter in evidence: and this ſhall be deemed a publick act, and judicially taken notice of as ſuch.

a publick act.

# Limerick.

1 G. 3. c. 17. ſec. 21. 33 G. 2. c. 7.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 14. Whereas, *an act for the more equal aſſeſſing, and better collecting of publick money in counties of cities, and counties of towns*, in the thirty-third of his late majeſty, was continued, and has been found beneficial: and whereas from the increaſe of buildings and inhabitants in the city of Limerick the number and expences of the high roads leading thereto have alſo greatly increaſed, and it is found neceſſary to employ a treaſurer very converſant in accounts, and who can give ample ſecurity for ſuch ſums, as are neceſſary to be raiſed in the county of ſaid city: after the twenty fourth of June next the grand jury at the aſſizes for the county of the city of Limerick ſhall and may be impowered to increaſe by preſentment the yearly ſalary of the treaſurer of the county of ſaid city, ſo as not to exceed twenty pounds a year annually, over and above ſuch ſalary as ſaid grand jury are hereby impowered to preſent for the treaſurer of the county of ſaid city by the laws now in being.

treaſurer's ſalary increaſed by preſentment, not to exceed 20l. a year.

# Loan.

4 *per cent.* intereſt for 675000l. from 25 Dec. 1767 half yearly.

I. *Stat.* 7 *Geo.* 3. *cap.* 2. *ſect.* 1. For the aggregate ſum of ſix hundred and ſeventy five thouſand pounds, or ſuch part thereof as ſhall remain unpaid on the 25th of December one thouſand ſeven hundred and ſixty ſeven, there ſhall be paid at the receipt of his majeſty's exchequer, by the vice treaſurers or paymaſters general, or their deputies, at the end of every ſix calendar months, from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſixty ſeven to the perſons, who have paid or lent the ſaid ſum of ſix hundred and ſeventy five thouſand pounds, or their executors, adminiſtrators, or aſſigns, an intereſt at the rate of four pounds *per cent.* to commence from the twenty fifth of December, one thouſand ſeven hundred and ſixty ſeven, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until they ſhall be reſpectively paid their principal at one intire payment.

Further loan of 100000l. intereſt not exceeding 4 *per ct.*

II. *ſec.* 2. For all further ſums not exceeding in the whole 100,000 pounds, as ſhall be actually paid by any perſons into his majeſty's treaſury at the inſtance of the lord lieutenant or chief governors for the time being, to ſupply ſuch deficiencies,

as

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ſhall or may ariſe in the aids granted this ſeſſion for the ſupport of his majeſty's government, and for payment of the ſeveral ſums granted in this ſeſſion for carrying on public works in this kingdom, there ſhall be paid at the receipt of the exchequer at the end of every ſix calendar months, to be computed from the reſpective times of ſuch payments to the perſons ſo paying or lending, their executors, adminiſtrators, or aſſigns, ſuch intereſt, not exceeding four pounds *per cent.* as ſhall be agreed by the lord lieutenant or other chief governors to be paid for the ſame, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until they ſhall be reſpectively paid their principal at one intire payment.

Like debentures.

III. *ſ.* 3. Like debentures or receipts, bearing ſuch intereſt not exceeding four pounds *per cent* as ſhall be ſo agreed upon, ſhall be given by the officers of the treaſury for all ſums to be paid into exchequer purſuant to this act on account of the ſaid intended loan not exceeding one hundred thouſand pounds, and ſhall be inſerted in an arithmetical progreſſion, where the common exceſs or difference is to be one, beginning with the number next after the laſt number of the debentures for ſix hundred and ſeventy five thouſand pounds, now ſtanding out at four pounds *per cent.* until the whole ſhall be ſo numbered.

Aſſigned by indorſement,

memorial view'd without fee.

IV. *ſ.* 4. All perſons, to whom debentures have been given for any part of the ſaid ſix hundred and ſeventy five thouſand pounds, and to whom debentures ſhall be given purſuant to this act, their executors, adminiſtrators, or aſſigns, may by indorſements transfer the ſum due thereon; which indorſements upon notice to the vice treaſurers or their deputies, and an entry or memorial thereof in their office (which they ſhall on requeſt without charge make, and permit to be viewed at uſual office hours without fee or reward) ſhall intitle the indorſee or aſſignee, his executors, adminiſtrators, and aſſigns to the ſole benefit of the ſum ſo transferred; and the ſaid debentures may in like manner be transferred by ſuch aſſignee, his executors, adminiſtrators, or aſſigns, and ſo *toties quoties*; and after ſuch aſſignment it ſhall not be in the power of the aſſignee to make void, releaſe, or diſcharge it, or receive the ſum thereby transferred, or any part.

*Additional duties and rates granted 'till 25th December 1769.*

4 *per Cent.* for 625000,

I. *Stat.* 9 *Geo.* 3. *c.* 2. *ſ.* 1. For the ſum of ſix hundred and twenty five thouſand pounds, or ſuch part as remains unpaid on twenty fifth of December one thouſand ſeven hundred and ſixty nine, there ſhall be paid as aforeſaid, an intereſt at four *per cent.* and for the ſum of thirty thouſand pounds, or ſuch part as unpaid on 25th December 1769, an intereſt at the rate of three pounds ten ſhillings, from ſaid 25th December 1769.

3l. 10s. for 30000l.

Addition of 3235 men.

II. *ſ.* 2. An addition of three thouſand two hundred and thirty five men, conſiſting of a quartermaſter to each regiment of infantry, which is to remain on the eſtabliſhment of this kingdom, and of additional noncommiſſion officers and private men to each company of every ſuch regiment of infantry, and of ſix additional mates, be made, as ſoon as the ſame can conveniently be done, to the ſaid eſtabliſhment, ſo as to augment the ſame to fifteen thouſand two hundred and thirty five men in the whole, commiſſion and noncommiſſion officers included; and ſaid three thouſand two hundred and thirty five men ſhall be paid and continued on the ſaid eſtabliſhment for two years commencing the firſt of January 1770, and ending the 31ſt of December 1771,

Loan 100000l. *per cent.*

III. *ſ.* 3. If the aids granted this ſeſſion prove inſufficient to anſwer the purpoſes, and defray the other neceſſary expences of government, the chief governors for time being may from time to time, as there ſhall be occaſion, borrow or take up by way of loan at an intereſt not exceeding four *per cent.* ſuch ſums not exceeding one hundred thouſand pounds, as ſhall be neceſſary for purpoſes aforeſaid.

*Like debentures given, and additional rates and duties until 25th of December 1771.*

Reſpective intereſts for 725000.

I. *Stat.* 11 & 12 *Geo.* 3. *c.* 2. *ſ.* 1. For ſuch part of ſeven hundred and twenty five thouſand pounds as carried intereſt at four *per cent.* and for ſuch part thereof as carries intereſt at three pounds ten ſhillings *per cent.* or ſo much of ſaid principal ſum as ſhall remain unpaid on 25th December 1771, there ſhall be paid at the receipt of the exchequer by vice treaſurers or paymaſters general or deputies, at the end of every ſix calendar months from 25th December 1771, to the perſons who have paid or lent the ſame, or their executors, adminiſtrators, or aſſigns, intereſt at reſpective rates aforeſaid, from 25th December 1771, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until they ſhall be reſpectively paid their principal at one entire payment.

3046 men continued 2 years.

II. *ſ.* 2. Whereas it is neceſſary, that twelve thouſand effective men, commiſſion and noncommiſſion officers included, ſhould be maintained within this kingdom for its defence, to enable his majeſty to carry into execution his intentions and determined reſolution, ſignified by his command by the ſaid lord lieutenant, to keep the ſame at all times unleſs in caſes of invaſion or rebellion in Great Britain, three thouſand and forty ſix men, raiſed in purſuance of an act 1769, continued two years from 1ſt Jan. 1772 to 31 Dec 1773 incluſive, ſo as that the forces on the eſtabliſhment may amount to fifteen thouſand and forty ſix effective men, commiſſion and noncommiſſion officers included.

Loan 200000l. at 4 *per cent.*

III. *ſ.* 3. In order the more effectually to pay and continue the ſaid three thouſand and forty ſix men, in caſe the aids granted this ſeſſion prove inſufficient to anſwer the purpoſes aforeſaid, and defray the other neceſſary expences of government, chief governors from time to time, as there ſhall be occaſion, may borrow or take up by way of loan at intereſt not exceeding four pounds *per cent.* ſuch ſums, not exceeding in the whole two hundred thouſand pounds, as ſhall be neceſſary for purpoſes aforeſaid.

Intereſt half yearly, without deduction.

IV. *ſ.* 4. Such intereſt, not exceeding four *per cent.* as agreed by chief governors, paid at receipt of exchequer by vice treaſurers or paymaſters general or deputies, at the end of every ſix calendar months from reſpective times of payment, to the lenders, executors, adminiſtrators, or aſſigns, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until reſpectively paid their principal at one entire payment.

Debentures given.

V. *ſ.* 5. Like debentures or receipts bearing ſuch intereſt as ſo agreed upon given by the officers of the treaſury for ſuch ſums, and inſerted in arithmetical progreſſion, where the common exceſs or difference is to be one, beginning with the number next after the laſt number of debentures for ſaid ſeven hundred and twenty-five thouſand pounds, now ſtanding out at the ſaid reſpective rates of intereſt until the whole ſo numbered.

Transferrable by indorſement.

VI. *ſ.* 6. All perſons, to whom debentures given for any part of ſaid ſeven hundred and twenty five thouſand pounds, and purſuant to this act, or executors, adminiſtrators, or aſſigns, may by indorſements transfer the right and benefit of the



ſum

ſum due; which on notice to vicetreaſurers or deputies, and entry or memorial in their office (which they ſhall on requeſt without charge, fee, or reward make, and permit to be viewed at uſual office hours) ſhall intitle indorſee or aſſignee, executors, adminiſtrators, and aſſigns, to the whole benefit of the ſum transferred or aſſigned; and may in like manner be transferred by indorſee and ſo *toties quoties*; and after ſuch aſſignment it ſhall not be in the power of the perſon who made it to make void, releaſe, or diſcharge ſaid aſſignment, or diſcharge or receive the ſum transferred, or any part.

*toties quoties*, not afterwards in power of aſſignor.

VII. *ſ.* 7. For payment of ſaid intereſt of ſaid ſeven hundred and twenty five thouſand pounds, or ſo much as unpaid on 25th December 1771, and of ſuch ſums not exceeding two hundred thouſand pounds as ſo raiſed, from and after 25th December 1771, there ſhall be throughout the kingdom of Ireland raiſed, levied, granted, collected and paid to his majeſty, his heirs and executors, until 25th December 1773 incluſive, and no longer, over and above the ſeveral rates and duties payable by the acts 14 & 15 C. 2. c. 8 & 9 for ſettling the exciſe and ſubſidy of poundage, and over and above the ſeveral additional duties granted this ſeſſion (c. 1.) and any duties, rates, and impoſitions, granted by any other act now in force or during this ſeſſion to be enacted in this kingdom, the ſeveral duties, rates, impoſitions and taxes, herein after mentioned, an additional duty of ſix pounds *per* tun on all ſorts of wine of growth of France or Spain, three pounds of growth of Portugal, and five pounds other wines, imported after 25th December 1771; four pounds ſterling *per* pound weight on all velvets and manufactures made of or mixed with ſilk, except thoſe of Great Britain, China, Perſia, and Eaſt Indies; one halfpenny *per* pound weight on all hops; five pounds *per cent.* on all china, earthen, japanded, or lacquered ware, as valued or rated for cuſtom by the book of rates; three pounds *per* tun on all ſorts of vinegar imported; further additional duty of two pence *per* gallon of aquavitæ, ſtrong waters, and ſpirits made or diſtilled in this kingdom for ſale, to be paid by the firſt maker or diſtiller; further additional duty two pence *per* pound on all coffee imported; a duty of ten ſhillings *per ann.* to be paid by all who ſell or tap out by retail any cyder at any time between 25 December 1771 and 25 December 1773 incluſive; a duty of one penny *per* gallon on all cyder ſold or tapped out by retail, to be paid by the perſon who ſhall ſell or tap out by retail; an additional duty of twenty ſhillings paid by every perſon for every coach, chariot, berlin, calaſh or chaiſe with four wheels, which ſuch perſon ſhall keep in his or her poſſeſſion (except hackney or ſtage coaches, and coaches kept by coachmakers for ſale) at any time between 25th December 1771 and 25th December 1772, incluſive; additional twenty ſhillings for the ſame between 25 December 1772 and 1773; additional duty twenty ſhillings *per* tun of ſoapboilers waſte, and ſo in proportion for greater or leſſer quantity, that ſhall be exported out of this kingdom to any parts beyond ſeas; additional duty three pounds *per* tun of linen rags, and ſo in proportion, exported beyond ſeas after 25 December 1771.

Additional duties for paying the ſame to 25 Dec. 1773.

wines of France or Spain 6l. *per* tun,

port 3l. other wine 5l.

Velvets, ſilks, hops, earthen, japanned, lacquered ware, vinegar, aquavitæ, ſtrong waters, ſpirits, coffee, cyder,

coaches,

ſoap waſte exported,

linen rags.

VIII. *ſ.* 8. From 25th December 1771 until 25th December 1773 incluſive, there ſhall be paid ſix pence, and no more, for every pound of green tea; four pence every pound of black bohea and other tea imported, in lieu and full ſatisfaction of all cuſtom, exciſe, or other duties payable by any act or acts heretofore made.

Tea.

IX. *ſ.* 9. If ſaid wines and other merchandizes, upon which aforeſaid duties hereby charged on importation, again exported by merchants ſubjects within twenty four calendar months, ſtrangers in twelve, after importation, and if due proof firſt made, by certificate from proper officers, of due entry and payment of ſaid duties, and all other requiſites performed by law required in thoſe caſes, where duties of exciſe are to be repaid, then ſaid duties ſhall without any delay or reward be re-

Drawback on exportation.

paid or allowed to merchants ſo exporting within one calendar month after demand, or the ſecurity for ſaid duties vacated as to ſo much as ſo exported, any thing herein to the contrary notwithſtanding.

Duties collected as by 14 & 15 C. 2. c. 8. or other exciſe laws, with like appeal.

X. *ſ.* 18. All the additional and other duties and rates hereby granted, other than ſuch as otherwiſe by this act appointed, ſhall be raiſed, anſwered, collected, and paid the ſame time, manner, ways, methods, rules, and directions, ſuch penalties, forfeitures, and powers as by the ſaid act of exciſe 14 & 15 C. 2. or any other law now in force relative to the revenue of exciſe, as fully and effectually to all intents and purpoſes, as if particularly ſpecified and enacted again in this act, with like remedy of appeal as by ſaid act of exciſe or any other law now in being relating to duties of exciſe is provided.

No fees.

XI. *ſ.* 22. Neither the ſix pence *per* pound, nor any other fee, ſhall be payable to or deducted or received by vice-treaſurer, receiver, or paymaſter general, clerk of the pells, or any other officers of this kingdom, for or on account of the iſſuing or payment of any ſums ariſing by or received for or on account of the aids hereby granted, or of any payment in purſuance of this act.

100000l. of produce on teas to linen manufacture. 73001. to hereditary revenue.

XII. *ſ.* 23. So much of the yearly produce of ſaid duties on teas, as ſhall amount to ten thouſand pounds yearly, ſhall in firſt place be paid to truſtees of hemp and linen manufactures; and ſo much of the reſidue, as ſhall amount to ſeven thouſand three hundred pounds yearly, ſhall be placed to the account of his majeſty's hereditary revenue; and the reſidue or ſurplus of the produce of ſuch duties, together with the ſeveral other duties and aids hereby granted, ſhall in firſt place be applied by vice treaſurers to pay the intereſt of ſaid ſeven hundred and twenty five thouſand pounds at the reſpective rates the ſame and every part thereof ſhall carry, or for ſo much as unpaid on 25th December 1771, and alſo to diſcharge of the intereſt of ſuch ſums not exceeding two hundred thouſand pounds, borrowed in purſuance of this act, in the manner, at the time and rates before mentioned. All ſurplus and exceeding of ſaid aids and duties over and above diſcharge of ſaid intereſt of ſaid ſums, ſhall firſt be applied towards payment of ſo much of ſaid principal of ſeven hundred and twenty five thouſand pounds, carrying intereſt at four *per cent.* or ſuch part as unpaid on 25 December 1771, as after mentioned.

Surplus with the other duties to pay intereſt.

Then principal of 725000l. at 4 per cent.

At 3l. 10s. *per cent.* paid out of ſurplus duties 9 G. 3. c. 2.

XIII. *ſ.* 24. Perſons to whom any part of ſaid ſeven hundred and twenty five thouſand pounds at three pounds ten ſhillings *per cent.* remaining due the 25 December, 1771, and who deſire to be repaid, ſhall be paid their ſeveral principal ſums, with intereſt at ſaid rate out of the ſurplus, which ſhall then remain unapplied of the duties and aids granted by an act 9 G. 3.

When ſurplus 30000l. drawn by ballot.

XIV. *ſect.* 25. After payment of intereſt of ſaid ſeveral ſums and as often as any ſurplus of aids and duties herein granted ſhall be received by vice-treaſurers, and amounts to 30000l. vice treaſurers ſhall cauſe the numbers of ſuch receipts or debentures amounting to 30000l. part of ſaid 725000l. carrying 4 *per cent.* or ſo much as unpaid on 25th of December 1771, and the ſums therein contained, to be written on ſeveral tickets or pieces of parchment rolled and ſewed up, put into a box or urn, and well mixed together; and an indifferent perſon ſhall publickly between ten and twelve in the forenoon of a day, by vice-treaſurers publickly adverti[ſ]ed in Dublin Gazette at leaſt twenty days before, at their office in the caſtle of Dublin draw out as many of ſaid tickets, as the ſums therein contained ſhall amount to 30000l; and the perſons, the number of whoſe debentures ſo drawn, their executors, adminiſtrators, or aſſigns, ſhall within twenty days after drawn be paid by vice-treaſurers the principal due, with intereſt at rates aforeſaid till paid, and ſhall on payment thereof deliver their reſpective debentures to vice-treaſurers to be cancelled, which they are required to cancel accordingly; and the intereſt

eſt for ſuch debentures ſhall ceaſe from the expiration of twenty days from the day of drawing.

XV. *ſect.* 26. Such ſums not exceeding 200000l. as advanced and paid into the treaſury in purſuance of this act, ſhall not be paid off, until ſaid principal of 725000, or ſo much as due on 25th of December 1771, ſhall be firſt paid and diſcharged. The 725000l. firſt paid off.

XVI. *ſect.* 27. Said principal of 725000, or ſo much as due on 25th of December 1773, as alſo ſuch ſums not exceeding 200000l. borrowed in purſuance of this act, ſhall be well and truly ſatisfied and paid unto the ſeveral perſons, their executors, adminiſtrators, and aſſigns, to whom the ſame ſhall be then due, together with ſuch intereſt as then due at the rates aforeſaid, without any deduction, or abatement whatſoever. Payment 25 December 1773.

XVII. *ſect.* 28. Separate and diſtinct accounts ſhall be kept by the proper officer of the aids, duties, and taxes, granted by this act or any other act now in force in this kingdom and appropriated to particular uſes; and commiſſioners of revenue ſhall return weekly abſtracts from the ſeveral collectors to the accountant general, who ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropriated to vice-treaſurers; and every collector or receiver of ſaid duties and taxes take a ſeparate receipt for the ſame when paid into the treaſury, which receipt vice-treaſurers are to give accordingly. Separate accounts, weekly abſtracts, ſeparate receipts.

## Militia.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 1. *ſect.* 12. Twelve thouſand eight hundred and thirty nine pounds four ſhillings, granted in the bill of ſupply paſſed in 1769 for ſupport of a militia in this kingdom for 2 years from 24th of June 1770, and the further ſum of 7992l. for cloathing the ſame, applied to the maintaining a militia in this kingdom for 2 years from 24th of June 1772 to 24 June 1774 in ſuch manner as parliament ſhall hereafter direct. Application of 12839 and 7992, for 2 years.

## Mortgages.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 1. After the firſt of December 1772, in all caſes where one year and a half's intereſt due, a court of equity, upon application in manner hereafter mentioned, ſhall appoint a receiver to receive ſuch part of the rents of mortgaged premiſſes, as ſhall be ſufficient to pay ſuch arrear, and alſo the accruing intereſt of the morgage money from time to time, one half year when the other ſhall become due, until the whole of ſuch intereſt due on ſaid morgage ſhall be diſcharged, and no longer, together with ſuch fees or ſalary as ſhall be appointed by ſaid court for ſuch receiver, as alſo neceſſary coſts out of pocket of ſuch application, and out of the ſums ſo received, ſuch intereſt, ſalary, and coſts, ſhall be ordered to be paid. Where a year and a half intereſt due, receiver appointed by decree of equity, ſalary, coſts out of pocket.

II. *ſect.* 2. Such order ſhall be made upon petition and affidavit, after reaſonable time to ſhew cauſe, and whether any bill has or has not been filed, relative to ſaid mortgage. Order on petition and affidavit, time to ſhew cauſe.

## Papiſts.

I. *Stat.* 7 *Geo.* 3 *cap.* 20. *ſect.* 7. All ſuch perſons as have heretofore obtained the biſhop's certificate of their conformity, and from and after have profeſſed the proteſtant religion and continued proteſtants, and have not performed all the other Time for conforming enlarged to 1 December 1768.

legal

legal requiſites of conformity, and ſhall perform the ſame before the firſt day of December 1768, ſhall from the time of conformity from the popiſh to the proteſtant religion be deemed and taken to be proteſtants of the eſtabliſhed church to all intents and purpoſes.

Former judgments not prejudiced.

II. *ſect.* 8. Nothing herein ſhall bar, defeat, or prejudice any judgment or decree heretofore obtained by perſons whatſoever in any court of law or equity, or any ſuit now depending, grounded on the popery laws, which have been duly obtained and proceeded on.

3 G. 3. c. 26. enlarged to 24 June 1772, &c.

III. *Stat.* 11 *Geo.* 3. *cap.* 1. *ſect.* 6. The time for performing the requiſites in 3 G. 3. c. 26. being now expired, the like time given to 24th of June 1772, and to the end of then next ſeſſion; with like proviſo.

8 Anne c. 3. ſ. 18. revived and continued 11 years, &c.

IV. *Stat.* 11 & 12 *Geo.* 3 *cap.* 19. *ſect.* 1. Whereas an act of Ann, *for explaining and amending an act, to prevent the further growth of popery*, ſuch part thereof as relates to the encouragement of popiſh prieſts becoming proteſtants, hath lately expired, this ſaid act, ſo far as it relates to the encouragement of popiſh prieſts to conform, ſhall be revived, and continue in force eleven years, and from thence to the end of the then next ſeſſion.

3 G. 3. c. as to the time for informing, enlarged 11 G. 3. c. 1. ſec. 6 continued 11 years, &c.

V. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19 *ſect.* 7. A clauſe in an act of the third of his preſent majeſty, *for confirming the titles, for quieting poſſeſſions of proteſtants, and for giving time to converts to perform the requiſites*; which to limit the time for performing the legal requiſites of conforming was enlarged by ſeveral acts, and particularly by an act of the laſt ſeſſion, but the time limited for performing is now near expiring, ſhall be continued, and remain in force ſix years, and from thence to the end of then next ſeſſion.

Popiſh prieſts conforming and approved of by the biſhop and performing the other requiſites in 8 Anne, c. 3. (revived and continued by 11 G. 2. c. 9. ſ. 2.) 40l. yearly maintenance till provided for by benefice or preferment of like or greater value,

but ſubject to ſuſpenſion or deprivation.

VI. *Stat.* 11 & 12 *Geo.* 3. *cap.* 27. *ſect.* 1. Whereas it is expedient to make ſome further and better proviſion by way of maintenance for ſuch popiſh prieſts, as have been, or hereafter ſhall be, converted from the popiſh to the proteſtant religion, until otherwiſe provided for reſpectively by ſome eccleſiaſtical benefice: after the 24th of June 1772, every popiſh prieſt, who hath heretofore conformed to the proteſtant religion, or at any time during the continuance of this act ſhall conform, and be approved of as a convert, and received into the church of Ireland as by law eſtabliſhed, by the archbiſhop or biſhop of the dioceſe, wherein ſuch popiſh prieſt reſides at the time of conformity, and ſhall perform the ſeveral other requiſites preſcribed in and by that part of the recited act, ſuch popiſh prieſt ſhall have and receive forty pounds yearly and no more, by virtue of this or any former act, as and for his maintenance, and until he ſhall be otherwiſe provided for, by ſome eccleſiaſtical benefice or preferment of the like or greater yearly value; ſubject nevertheleſs to ſuſpenſion or deprivation by the archbiſhop or biſhop of the dioceſe, wherein he ſhall dwell or reſide, in like manner as the inferior clergy are ſubject to.

Levied as grand jury charges,

paid moietively, at the annunciation and Michaelmas,

VII. *ſect.* 2. Said forty pounds ſhall be levied on the inhabitants of ſuch county, or counties of cities or towns, where ſuch converted prieſts did reſide at the time of conformity, in like manner as money charged by grand juries on ſaid counties, counties of cities or towns, is levied; to be paid to ſuch converted prieſts moietively, one moiety on the feaſt of the annunciation, the other on the feaſt of ſaint Michael every year.

VIII. *ſect.*

## Papists.

VIII. *sect.* 3. Every such popish priest so converted, shall, and he or they are hereby required, under the penalty of forfeiting allowance or allowances as aforesaid, publickly to read once every week the common prayer or liturgy of the church of Ireland as by law established, and preach in the English tongue in such places, and at such times, as the said archbishop or bishops shall direct or appoint.

Read and preach weekly as by the bishop appointed, or allowance forfeited.

IX. *sect.* 4. No curacy shall be deemed an ecclesiastical benefice or preferment within the intent and meaning of this act, unless the salary allocated for the maintenance of the officiating curate in such curacy, shall exceed forty pounds by the year.

Unless curate's salary exceed 40l. a year, not a preferment.

X. *sect.* 5. This act, and the several clauses herein contained, shall continue in force seven years from the twenty-fourth of June 1772, and to the end of the then next session, and no longer.

Continued 7 Years from 24 June 1772, &c.

## Parishes.

I. *Stat.* 7 *Geo.* 3. *cap.* 9. Where large parishes shall be divided in manner as in 2 G. 1. c. 14. mentioned, and the incumbent of such divided parishes intitled to receive any sum from his next successor, if the parish had not been divided, on account of buildings or improvements on the glebe; or any money paid by him to his predecessor on such account, such incumbent shall have and be intitled to receive from his next successor in that part of such divided parish on which such buildings and improvements made, as if said parish had not been divided, although the sum so to be paid should exceed one year and a half of the income of that part of the parish; and such incumbent having paid such proportion of the said money, shall be intitled to receive such proportion of the money so to be paid from his successors according to the laws now in being for that purpose, in such manner as he ought, if such parish had not been divided.

Incumbent on a division as by 2 G. 1. c. 14. intitled to receive from successor for improvements as if no division, altho' above a year and half of the income of that part.

II. *Stat.* 7 *Geo.* 3. *cap.* 17. *sect.* 1. Archbishop of Armagh or his successors may erect new churches or chapels on the reputed antient sites of the respective united parishes, and one other church or chapel in the city or liberties of Armagh; and by writing under his hand and archiepiscopal seal with consent of the rector under hand and seal, set out and describe the bounds and several town lands comprised within the respective districts or new parishes, which shall belong to the cure of each of said new churches or chapels, and to those which are already erected respectively, and add one or more town-lands, if judged convenient, to that church or chapel, which shall be erected for the city and liberties of Armagh; after such new parishes so set out and ascertained by such instrument, duly registered in the diocese, and inrolled in the Roll's office (for which inrollment 13s. and 4d. and no more shall be paid over and above the usual expences to the ingrossing clerk) the said several districts shall be deemed and reputed several and distinct parishes for the purposes in this act, and respectively called and known by such names given by such instrument. Said several churches or chapels, and such as already erected in said parish, deemed perpetual cures; and the curates of each, when duly nominated and licensed, capable of receiving any endowment in such manner, as any curate of any impropriate or appropriate parish is by the laws now qualified to take, and have perpetual succession, and are declared to be bodies politick and corporate, and capable to receive any such endowments in lands or tithes or both, or any such augmentation as shall be granted to them and their successors; after endowed with sufficient quantity of glebe such curate with approbation of archbishop may make such buildings and improvements on such glebe, and intitled to receive such proportion of the money

New churches or chapels in parish of Armagh on antient sites.

*or other new sites by* 11 & 12 *G.* 3. *c.* 17. *s.* 16.

Instrument ascertaining them new parishes, registered, and inrolled.

perpetual cures, capable of endowment.

Perpetual succession, and bodies corporate.

Intitled to proportion for improvements on glebe.

money expended from his next successor, as any other incumbent is now intitled to; and all such provisions for improvements of glebes shall extend to said curates respectively as now to any incumbent of any ecclesiastical benefice. Trustees and commissioners of first fruits may and are required to grant to any of said curates a sum not exceeding one hundred pounds to enable to build such house, which sum they may grant, before such house is begun, upon assurance that it shall be built upon a plan and estimate approved by the archbishop and trustees.

200 l. first fruits.

Vestries on notice.

II. *sect.* 2. The archbishop may appoint vestries for each of said new parishes, and the rector or his curate shall give notice, published as usual for convening vestries for the present parish, or by affixing on the doors of the cathedral, or such other means as thought necessary. New churchwardens shall be chosen annually as usual in said parish. The rector or his curate, and churchwardens, and majority of protestant inhabitants of each of said new parishes in vestry may assess such sums as from time to time necessary for building and repairing their respective parish church or chapel, applotted and levied as cesses for other churches by the laws now in being.

Churchwardens annually.

Cesses for building and repairing.

Curate nominated by rector, licensed by archbishop.

III. *sect.* 3. Rector of Armagh shall nominate to the archbishop a sufficient curate for each parish, approved and licensed by him, as other curates are by law to be, on vacancy another nominated in said manner; on failure by rector two months, archbishop may appoint and license a curate, and allocate such salary, as he is at present enabled to do, over and above any endowment of said cures for augmentation of maintenance of said curates.

Endowment by rector registered and inrolled, discharged from the salary,

IV. *sect.* 4. If said rector by deed with consent of the archbishop and chapter, parties and affixing their seals, endows any of said cures with a competent portion of glebe or tithes for maintenance of the curate, said rector and successors thenceforth discharged from salary to the curate so endowed. Such writing registered in the diocese and inrolled in roll's office, for which the same fee as before specified shall be paid.

and other repairs.

Parochial offices in vestry, allotment and clerk's salary,

V. *sect.* 5. Parishioners of each discharged from repairing any other church or chapel; and the minister, churchwardens, and protestant inhabitants of each, or major part in vestry, may elect all parochial officers, as any other parish by law impowered, and assess, applot, and levy on the lands or inhabitants sums requisite for keeping their church or chapel in repair and providing necessaries, and such salary for a parish clerk in each, as may by law for the clerk of any other parish. Such parish clerks in each of said parishes at all times intitled to such provision and maintenanct as the clerk of the parish of Armagh would be intitled to, if this act not made. Such parishes shall have all parochial rights by law appertaining to any other, saving to the rector of Armagh and successors all rights as rectors of Armagh.

Saving to rector.

Rector not discharged from cure of souls or duties.

VI. *sect.* 6. This act shall not discharge said rector or successors from cure of souls or any other parochial duties in said new parishes, which shall remain in them as before.

New church of Colestrain.

VII. *Stat.* 7 G. 3. *c.* 21. *sect.* 13. The new erected church on the lands of Colestrain deemed henceforth the parish church of Aughalurcher to all intents and purposes whatsoever.

New churches and chapels erected by bishops,

VIII. *Stat.* 11 & 12 G. 3. *c.* 16. *sect.* 1. It shall be lawful for archbishops and bishops, and their successors, to erect, or cause to be erected, new churches or chapels in convenient places within such parishes as to them respectively shall seem proper.

IX. *sect.*

IX. *ſect.* 2. Such churches or chapels ſhall not be erected, before the bounds of the reſpective diſtricts, which ſhall belong to the cure of each of the ſaid new churches or chapels, ſhall be aſcertained by an inſtrument in manner hereafter directed, with the conſent of the incumbent for the time being, under his hand and ſeal. And it ſhall be lawful for ſaid archbiſhops and biſhops, and ſucceſſors, by writing under hands and archiepiſcopal or epiſcopal ſeals reſpectively, with the conſent of rector or incumbent of every ſuch pariſh reſpectively, under his hand and ſeal, to ſet out and deſcribe the bounds and ſeveral town lands, which ſhall be comprized within the reſpective diſtricts or new pariſhes, which ſhall belong to the cure of each of the ſaid new churches or chapels, and to thoſe which are already erected reſpectively; and after ſuch new pariſhes ſhall be ſo ſet out and aſcertained by ſuch inſtrument, which ſhall be duly entered in the regiſtry of the dioceſe, and inrolled in the Rolls-office of this kingdom, for which inrolment the ſum of thirteen ſhillings and four pence, and no more, ſhall be paid, over and above the expences uſually paid to the engroſſing clerk for the ſame, and the ſaid ſeveral diſtricts ſo ſet out and deſcribed, ſhall be deemed and reputed ſeveral and diſtinct pariſhes, for the purpoſes in this act mentioned, and ſhall be reſpectively called and known by ſuch names, as ſhall be given to them by ſuch inſtrument: and the ſaid ſeveral churches or chapels, which are intended to be erected, and thoſe which are already erected in the ſaid new pariſhes, ſhall be deemed perpetual cures, and the curates of each of them reſpectively, when duly nominated and licenſed, ſhall be capable of receiving any endowment from ſaid archbiſhops and biſhops reſpectively, or their ſucceſſors, or from the rectors or incumbent of ſuch pariſh, or their ſucceſſors, or any other bodies corporate or politick, or any other perſon or perſons, in ſuch manner, as any curate of any impropriate or appropriate pariſh is by the laws now in being qualified to take the ſame; and every ſuch curate ſhall have perpetual ſucceſſion, and are hereby declared to be bodies politick and corporate, and made capable to receive and take any ſuch endowments in lands or tythes, or both, or any augmentation granted to them and their ſucceſſors; and after any of the ſaid cures ſhall be endowed with a ſufficient quantity of glebe, ſuch curate, with the approbation of the archbiſhop or biſhop of ſuch dioceſe, or their ſucceſſors, may make ſuch buildings and improvements on ſuch glebe, and he ſhall be intitled to receive ſuch proportion of the money expended, from his next ſucceſſor, as any other incumbent is or ſhall be intitled unto for buildings and improvements on the glebe of his benefice; and all ſuch proviſions for encouraging the making buildings and improvements on glebes belonging to the clergy ſhall extend to the ſaid curates reſpectively, in the ſame manner, as now to any incumbent of any eccleſiaſtical benefice.

Diſtricts of the cures firſt aſcertained by inſtrument with conſent of incumbent.

Bounds and town lands deſcribed,

regiſtered in the dioceſe, and inrolled,

deemed diſtinct,

named in the inſtrument,

perpetual cures,

curates licenſed capable of endowment.

Perpetual ſucceſſion, bodies corporate,

when endowed with ſufficient quantity of glebe may build and improve thereon, and intitled to proportion from ſucceſſor; all proviſions for encouragement extended to them.

X. *ſect.* 3. No curate, who ſhall hereafter ſucceed to a perpetual curacy endowed by this or any other act, obliged to pay his predeceſſor, or his executors or adminiſtrators, by virtue of any certificate for building or improving on ſuch glebes, with which his curacy may be endowed, any greater ſum than fifty pounds: and the truſtees and commiſſioners of firſt-fruits, are hereby required to grant to any of the ſaid curates a ſum, not exceeding one hundred and fifty pounds, to enable ſuch curate to build ſuch houſe; which ſaid truſtees are impowered to grant, before ſuch houſe is begun, upon an aſſurance that ſuch houſe ſhall be built upon a plan and eſtimate approved of by ſaid archbiſhops and biſhops reſpectively, or their ſucceſſors, and by ſaid truſtees.

Not above 50 l. to predeceſſor,

firſt fruits to advance not above 150 l. for building upon a plan approved.

XI. *ſect.* 4. After the execution, regiſtry, and inrolment of ſuch inſtrument, it ſhall be lawful for the archbiſhop or biſhop, and their ſucceſſors, to appoint veſtries for each of ſaid intended new pariſhes; and the rector or incumbent, where ſuch

Veſtries appointed by biſhops,

notice by rector or incumbent,

new pariſhes are to be ſet out and erected reſpectively, or his curate, ſhall give notice of ſuch veſtries to be held at ſuch place as thought moſt convenient within the ſaid reſpective pariſhes or diſtricts, and at ſuch time as appointed in ſuch notice, which ſhall be publiſhed in ſuch manner, as is uſual for convening veſtries for the mother church, or by affixing on the doors of the pariſh church, or by ſuch other ways and means as thought neceſſary; and at the firſt veſtry for every of the ſaid new pariſhes two perſons ſhall be choſen church wardens for each pariſh reſpectively, in ſuch manner as church wardens uſually elected in the old pariſh church;

at the veſtry 2 church wardens choſen as uſual,

on failure, nominated by biſhops,

annual from Eaſter,

and in caſe of failure in making ſuch election, ſaid archbiſhops and biſhops, and their ſucceſſors reſpectively, may nominate ſuch church wardens for every of the ſaid pariſhes, where ſuch failure ſhall happen; and ſuch church wardens, when ſo elected or nominated, ſhall continue in ſuch office one year from the Eaſter next after ſuch election or appointment, and new church wardens ſhall be choſen annually in ſuch manner, as is uſual in ſaid pariſh: and it ſhall be lawful for the rector or incumbent of ſuch pariſh, or his curate, and the church wardens and majority of proteſtant inhabitants of each of ſaid intended new pariſhes, in veſtry to aſſeſs ſuch ſums, as ſhall from time to time be neceſſary for erecting, or building or repairing the church or chapel of their reſpective pariſh; which money ſhall be aſſeſſed, applotted, and levied, in ſuch manner, as ceſſes for building or repairing other churches are by the laws now in being directed to be raiſed.

aſſeſſment in veſtry for the church or chapel,

as ceſſes for other churches.

XII. *ſect.* 5. As ſoon as ſaid churches or chapels ſhall be erected and ſet apart for divine worſhip, the rector or incumbent of ſuch pariſh ſhall nominate to the archbiſhop or biſhop, or their ſucceſſors, a ſufficient curate for every ſuch pariſh, where ſuch church or chapel ſhall be ſo erected and ſet apart, which curate ſhall be approved of and licenſed by the archbiſhop or biſhop, or their ſucceſſors, in ſuch manner as other curates are by law; and upon every vacancy of any of ſaid cures by death or removal of ſuch curate, or acceptance of any benefice with cure of ſouls, another curate ſhall be nominated and appointed in manner aforeſaid. And in caſe the rector or incumbent fail or neglect to nominate a curate for two months after any of the ſaid churches or chapels ſhall be erected and ſet apart, or after any ſuch vacancy ſhall happen, the ſaid archbiſhops and biſhops reſpectively, or their ſucceſſors, may appoint and licence a curate for ſuch of ſaid pariſhes and churches, where ſuch failure ſhall happen, and allocate ſuch ſalary for every ſuch curate, as at preſent enabled to do by the laws now in being, over and above any endowment of the ſaid cures granted for augmentation of the maintenance of any of the ſaid curates.

Curate nominated by incumbent licenſed by biſhop,

ſo on vacancy,

on failure two months appointed by biſhop,

ſalary above endowment.

XIII. *ſect.* 6. If the rector or incumbent of ſuch pariſh, or his ſucceſſors, ſhall by deed, with the conſent and approbation of the archbiſhop or biſhop, or ſucceſſors, the patron, and dean and chapter, and where there are no dean and chapter, by conſent of major part of the beneficed clergy, at reſpective viſitations, teſtified by their being parties to, and affixing their ſeal, to ſuch writing, endow any of the ſaid cures with a competent portion of glebe or tythes for maintenance of the curate, ſuch rector or incumbent, and his ſucceſſor, from thenceforth diſcharged from payment of the ſalary to the curate ſo endowed; ſuch writing to be regiſtered in the regiſtry of the dioceſe, and enrolled in the Rolls-office in chancery, for which enrolment the ſame fee herein before ſpecified, and no more, ſhall be paid.

Incumbent endowing with conſent by deed diſcharged ſalary.

regiſtered and inrolled.

XIV. *ſect.* 7. Inhabitants and pariſhioners of each of ſaid intended new pariſhes, in which chapels of eaſe are already erected, or in which ſuch churches or chapels hereafter ſhall be erected, diſcharged from repairing any other church or chapel; and the miniſter, church wardens, and proteſtant inhabitants of each of ſaid intended new pariſhes, or major part in veſtry, ſhall have power to elect all parochial

Diſcharge from repair of other church or chapel,

chial officers, in such manner as any inhabitants of any other parish are by law impowered, and to assess, applot, and levy upon the lands or inhabitants of their said parish such sums, as may be requisite for keeping their church or chapel in repair, and providing such necessaries for use of their respective churches, and celebration of divine service there, and such salary for a parish clerk in each of said intended parishes, in such manner as may by law be raised for the clerk of any other parish; and such parish clerks in each of said intended parishes shall at all times be intitled to such provision and maintenance, as the clerk of the ancient parish would be intitled to, in case this act not made; and such parishes shall have all parochial rights by law appertaining to any other parishes for the purposes in this act mentioned. Saving nevertheless to the rector or incumbent of such parish, and his successors, all his and their rights as rectors or incumbents of said parish.

vestry to elect officers, assess for repair, and necessaries, and clerk's salary,

clerk's provision as of the antient parish,

all parochial rights,

saving incumbent's rights.

XV. *sect.* 8. This act shall not be construed so as to discharge said rectors or incumbents of said parishes, or their successors, from the cure of souls, or any other parochial duties in any of the said intended new parishes, but such cure of souls and duties shall remain in him and them, as before the passing this act.

Not discharged from cure of souls or duties,

XVI. *sect.* 9. And whereas several dignitaries have several parishes with cure of souls appropriate and annexed, which are served by stipendiary curates, who have no place of residence in the parishes, where they officiate: such appropriated cures shall be hereafter deemed perpetual cures, with consent of the archbishop, bishop of the diocese, the dean and chapter of the said diocese, and of the dignitary to whose dignity such parishes are appropriated, testified in writing under hands and seals, from the time such writing is entered in the registry of the diocese, and in the registry of the metropolitical court of the province; and the curates of every of them respectively shall be capable of receiving any endowment from the respective deans, archdeacons, or other dignitaries, to whom such benefices are so appropriated respectively, or any other bodies corporate or politick, or any other person or persons, in such manner as any curate of any impropriate or appropriate benefice is by laws now in being, qualified to take any endowment; and shall have perpetual succession, and are hereby created bodies politick and corporate, and made capable to receive any such endowments in land or tythes, or both, or any such augmentation, as shall be granted to them and their successors; and after any of said cures endowed with a sufficient quantity of glebe, such curate, with approbation of the archbishop or bishop, may make such buildings and improvements on such glebe, and intitled to receive the money so expended from his next successor, as any other incumbent is or shall be intitled to for buildings and improvements on the glebe of his benefice: and all such provisions for encouraging the building and making improvements on the glebes belonging to the clergy, shall extend to such curates respectively, in the same manner as now to the incumbent of any ecclesiastical benefice; and the trustees and commissioners of first fruits are hereby required to grant to any such curate a sum not exceeding one hundred and fifty pounds, to enable such curate to build a house; which sum said trustees are impowered to grant, before such house is begun, upon an assurance from the archbishop or bishop that such house shall be built upon a plan and estimate approved of by the archbishop or bishop and said trustees.

Appropriate cures deemed perpetual on consent registered,

capable of endowment,

perpetual succession and bodies corporate,

may build and improve glebes, intitled from successor, and to all encouragements,

first fruits to advance not above 150 l. for building on plan approved.

XVII. *sect.* 10. If any dignitary, to whose deanry, archdeaconry, or dignity any such parish or parishes with cure of souls shall be so appropriate, shall, with consent and approbation of the archbishop or bishop, the patron, and the dean and chapter of the church, to which such deanry, archdeaconry, or other dignity shall belong, testified by being parties, and affixing their seals to such writing, endow any such

Dignitary with consent endowing cures, discharged from salary,

cures with a competent portion of glebe or tythes, or both, for maintenance of any ſuch curate, the dean, archdeacon, or other dignitary, and their ſucceſſors, ſhall thenceforth be diſcharged from the payment of the ſalary to the curate ſo endowed, from the time ſuch writing ſhall be entered in the regiſtry of the dioceſe, and enrolled in the Rolls-office of chancery; for which thirteen ſhillings and four pence ſhall be paid over and above the expences uſually paid to the engroſſing clerk.

regiſtered and inrolled, fee 13s. & 4d.

Cure of ſouls or duties not diſcharged.

XVIII. *ſect.* 11. This act not conſtrued ſo as to diſcharge any ſuch dean, archdeacon, or other dignitary, or their ſucceſſors, from the cure of ſouls, or any other parochial duties, in any ſuch parochial duties, in any ſuch appropriate benefice; and no ſuch dean, archdeacon, or other dignitary, ſhall receive any benefit from any ſuch endowment, but ſhall be liable to the payment of ſuch ſalary to every ſuch curate, as he would have been, in caſe no ſuch endowment made, unleſs he ſhall by ſuch endowment by ſuch writing be diſcharged from the ſame.

On vacancy, curate nominated by dignitary, licenſed by biſhop,

XIX. *ſect.* 12. As often as the cure of any ſuch appropriate pariſh, ſo endowed or augmented purſuant to this act, ſhall become vacant by any means, it ſhall and may be lawful for the dean, archdeacon, or other dignitary, to whoſe dignity ſuch pariſh is appropriate, to nominate to the archbiſhop or biſhop, a ſufficient curate for every ſuch pariſh reſpectively; which curate ſhall be approved of and licenſed by ſaid archbiſhops or biſhops reſpectively, in ſuch manner as other curates are by law, and upon every vacancy of any of ſaid cures by death or removal of ſuch curate, or acceptance of any other cure, or benefice with cure of ſouls, another curate ſhall be nominated and appointed in manner before directed; and in caſe any of the dignitaries, to whoſe dignities ſuch pariſh appropriate, fail or neglect to nominate two months after any ſuch cures vacant, the archbiſhop or biſhop, may appoint and licenſe a curate for ſuch pariſhes, where ſuch failure ſhall happen, and allocate ſuch ſalary for every ſuch curate, as at preſent enabled by the laws now in being, over and above any endowment of ſaid cures for augmentation of the maintenance of any of ſaid curates, unleſs ſuch dignitary ſhall have endowed the curate of ſuch pariſh, and thereby have become diſcharged from payment of ſuch ſalary, in the manner herein before mentioned.

on failure 2 months, appointed by biſhop, and ſalary.

Chief governors with conſent as by 2 G. 1. c. 14. may unite pariſhes, &c.

XX. *ſect.* 13. It may be lawful for the chief governors, with the aſſent, advice, approbation, and conſent of ſuch perſons, in ſuch manner, and under ſuch ſavings and proviſoes, as are mentioned in the act of the ſecond of George the firſt (intituled, *An act for the real union and diviſion of pariſhes*) to unite appropriate pariſhes, and to diſappropriate appropriated pariſhes, or part of ſuch pariſhes, and to unite ſuch diſappropriated pariſhes, or part of ſuch pariſhes to another pariſh, and to erect ſuch divided and united pariſhes into new pariſhes with all parochial rights.

Conſent of chief governors valid.

XXI. *ſect.* 14. When the conſent of the king, his heirs and ſucceſſors, is to be given to the making any unions or diviſions of appropriate pariſhes, or parts of ſuch pariſhes, or to the endowment of perpetual cures by this act, or any unions and diviſions of pariſhes, or unions of any dignitaries or benefices, or other eccleſiaſtial preferments, by the act 2 G. 1. or any other act now in force in this kingdom, the conſent of governors under hands and ſeals to ſuch unions and diviſions ſhall to all intents and purpoſes be as good and valid in law, as if the conſent of his majeſty, his heirs and ſucceſſors, was thereunto ſignified by letters patent under great ſeal of this kingdom.

Inrolled in 6 months.

XXII. *ſect.* 15. Such conſent of chief governors enrolled in the rolls office in chancery, within ſix months after the date; for enrolment whereof three ſhillings and four pence, and no more, ſhall be paid.

XXIII. *ſect.*

XXIII. *sect.* 16. And whereas by an act in the 8th year of his preſent majeſty, it is enacted, that it ſhall be lawful for Richard, lord archbiſhop of Armagh, or his ſucceſſors, to erect new churches or chapels on the reputed antient ſites of the churches or chapels of the reſpective pariſhes, and one other church or chapel in the city or liberties of Armagh; and it hath been found, that the building on the ſites, preſcribed and intended by that act, will create great inequalities in the reſpective diſtricts or new pariſhes, it ſhall be lawful for archbiſhop of Armagh, or his ſucceſſors, to erect, or cauſe to be erected, new churches or chapels either on the reputed antient ſites of the churches or chapels of ſaid reſpective pariſhes, or on any other new ſites within the reſpective diſtricts or town-lands of the ſaid intended new pariſhes, as to him, or his ſucceſſors, ſhall ſeem moſt fit and convenient for eaſe of the pariſhioners, and decent celebration of divine worſhip.

7 G. 3. c. 17. ſ. 1.

archbiſhop of Armagh may erect new churches or chapels either on reputed antient ſites or any other new ſites within the diſtricts of new pariſhes.

XXIV. *sect.* 17. And to prevent unneceſſary diſpute and expence, occupiers of lands within every pariſh in this kingdom ſhall as to every ceſs or tax for repairing any church or chapel, or other neceſſary charges belonging to ſuch church or chapel, be, and be conſtrued inhabitants within every ſuch pariſh, whether ſuch be a pariſh of itſelf, or be united to any other pariſh by epiſcopal union or otherwiſe, or whether ſuch occupiers do or do not reſide and dwell within ſuch pariſh.

Land-occupiers, as to every ceſs for repairs or charges of church or chapel, conſtrued inhabitants, whether reſident or not, or whether an union or not.

XXV. *sect.* 18. It ſhall be lawful for any perſons, bodies politick or corporate, to allot and ſet apart any land, not exceeding one plantation acre, within any pariſh, city, or corporate town, or the precincts thereof, at any diſtance from the mother-church of the ſaid pariſh or pariſhes, whereon it ſhall be lawful for any perſon or perſons, bodies politick and corporate, with conſent of the archbiſhop or biſhop, and major part of the proteſtant inhabitants in veſtry, to erect and build a chapel or chapels on the ſaid lands ſo granted, or on any ancient ſite, in which the liturgy and rites of the church of Ireland as by law eſtabliſhed, are to be uſed and obſerved, and who are hereby enabled to ſettle and aſſure lands, tenements, tythes, or hereditaments in fee-ſimple, of the clear yearly value of thirty pounds a year, and not exceeding fifty, for a proviſion or maintenance for a curate to officiate in every ſuch chapel and chapels, and his ſucceſſors for ever, as a perpetual endowment.

1 Acre may be ſet apart in any pariſh, city, town corporate, or precincts, for building chapels with conſent in veſtry, on an antient ſite,

perpetual endowment for curate of lands, &c. in fee.

XXVI. *sect.* 19. All ſuch chapels, erected and endowed by virtue of this act, ſhall be thenceforth perpetual cures and benefices, and the curates thereof reſpectively, and their ſucceſſors, ſhall be bodies politick and corporate, by ſuch name as in the grant of ſuch endowment mentioned.

Perpetual cures and bodies corporate.

XXVII. *sect.* 20. All perſons, bodies politick and corporate, who have erected, or ſhall ſo erect and endow, any ſuch chapel or chapels, ſhall thenceforth be the true and only patron or patrons of ſuch chapel or chapels, and the ſole right of preſentation or nomination thereto ſhall be for ever after veſted in them, their heirs and ſucceſſors reſpectively; and the ſaid endowed curacies, and patronage thereof, ſhall be ſubject to the ſame proviſions and limitations, as curacies endowed by ſtat. 1 G. 2. c. 18. are now ſubject; and ſuch chapels of eaſe ſhall be kept in repair, in manner preſcribed for keeping chapels of eaſe in repair, erected in cities or corporate towns, by the act 1 G. 2. c. 22.

Perſons, erecting and endowing, patrons;

endowed curacies ſubject as by 1 G. 2. c. 18.

chapels of eaſe repaired as by 1 G. 2. c. 22.

## Parliament.

I. *Stat. 7. Geo. 3. cap. 3. sect.* 1. No parliament, which ſhall at any time hereafter be called, aſſembled, or held, ſhall continue longer than eight years, to be accounted from the day on which by the writs of ſummons it ſhall be appointed to meet.

Limited to 8 years.

II. *ſect.*

II. *sect.* 2. This present parliament shall determine on the 24th of June 1768, unless dissolved sooner.

Speaker's warrant for new writs during recess.

III. *Stat.* 11 *Geo.* 3. *cap.* 10. *sect.* 1. The speaker of house of commons during recess for more than 20 days, whether by prorogation or adjournment, may and is required to issue warrants to clerk of the crown to make out new writs for electing members upon such notice thereof and in such manner as herein after provided, and not otherwise; when death of such member certified to the speaker by any two members by writing under their hands, he shall forthwith after cause notice of the death to be inserted in Dublin Gazette, and at end of 14 days after (the day of insertion excluded) shall forthwith issue his warrant, unless the house shall have met again after such prorogation or adjournment before issuing thereof.

Provided no question as to the former return.

IV. *sect.* 2. Provided the return of the writ, by virtue of which such member deceased was elected, shall have been brought to hanaper office 15 days at least before the end of the session immediately preceding the death of such member, and no petition preferred, or other question depending touching validity of such return, or of the election on which the same was made.

Time appointed on petition; notice to attend.

V. *Stat.* 11 *Geo.* 3. *cap.* 12. *sect.* 1. Whenever a petition complaining of undue election or return of a member presented to the house of commons, a day and hour shall by said house be appointed for taking it into consideration; and notice thereof in writing forthwith given by the speaker to the petitioners and sitting members or their agents with order to attend the house at the time by themselves, their counsel, or agents.

Not till 14 days.

VI. *sect.* 2. No such petition taken into consideration within 14 days after commencement of the session, in which it is presented, nor within 14 days after the return, to which it relates, shall be brought into the office of clerk of the crown.

Time altered.

VII. *sect.* 3. The house may alter, and appoint some subsequent day and hour, as occasion requires, giving parties like notice and order to attend.

60 present at reading the order, or adjourned to next day.

VIII. *sect.* 4. At time appointed, and previous to reading the order of the day, the serjeant shall be directed to go with the mace to the places adjacent and require immediate attendance of the members on the business of the house, and after his return the house shall be counted; and if less than 60 present, or if at the time of drawing by lot the names, as herein directed, the number 37, not set aside nor excused, cannot be compleated, the order for taking it into consideration shall be immediately adjourned to a particular hour on the following day (Sunday and Christmas always excepted) on which the house shall proceed in same manner, and so from day to day, 'till there be attendance of 60 members at reading such order of the day.

Petitioners to withdraw, counsel to the bar, door locked, order read, 37 drawn by lot.

IX. *sect.* 5. If after summoning and counting the house 60 present, the petitioners by themselves, their counsel, or agents, and the counsel or agents of the sitting members, ordered to attend at the bar, the door then locked, and no member suffered to enter or depart, 'till the petitioners, their counsel, or agents, and counsel or agents for the sitting members, shall be directed to withdraw, as herein after mentioned. When the door locked, the order of the day shall be read; and the names of all the members of the house written or printed on distinct pieces of parchment or paper, all as near as may be of equal size, and rolled up in same manner, shall be put in equal numbers into six boxes or classes, to be placed on the table for that purpose; and shall be there shaken together; and then the clerk or assistant shall publickly draw out of the said boxes alternately the said pieces,

and

and deliver the ſame to the ſpeaker to be by him read to the houſe; and ſo ſhall continue to do, until 37 names of members then preſent be drawn.

X. *ſect.* 6. If the name of any member, who ſhall have given his vote at the election ſo complained of, or who ſhall be petitioner complaining of an undue election or return, or againſt whoſe return a petition ſhall be then depending, or whoſe return ſhall not have been brought in 14 days, ſhall be drawn, his name ſet aſide with names of thoſe abſent. Names ſet aſide if drawn.

XI. *ſect.* 7. If the name of any 60 years of age or upwards be drawn, he ſhall be excuſed from ſerving on the ſelect committee, if he require it, and verify the cauſe of ſuch requiſition on oath. If 60 years old, excuſed, on oath.

XII. *ſect.* 8. If the name of any, who has ſerved in ſuch ſelect committee during the ſame ſeſſion, be drawn, he ſhall, if he requires, be excuſed from ſerving again, unleſs the houſe ſhall before the day appointed for ſaid petition have reſolved, that the number, who have not ſerved in the ſame ſeſſion, is inſufficient to fulfil the purpoſes of this act, reſpecting the choice of ſuch ſelect committee. Or ſerving the ſame ſeſſion, throughout, unleſs numbers inſufficient.

XIII. *ſect.* 9. No member, who after having been appointed to ſerve in any ſuch ſelect committee ſhall on inability or accident have been excuſed from attending throughout, ſhall be deemed to have ſerved on any ſuch committee.

XIV. *ſect.* 10. If any other member offer and verify on oath any other excuſe, the ſubſtance of the allegations ſo verified ſhall be taken down by ſaid clerk, that the ſame may be entered on the journals, and the opinion of the houſe taken thereon; and if reſolved, that he is unable, or cannot without great and manifeſt detriment ſerve in ſuch ſelect committee, he alſo ſhall be excuſed. Other excuſe verified on oath, and opinion of the houſe taken.

XV. *ſect.* 11. Inſtead of the members ſo ſet aſide and excuſed the names of others ſhall be drawn, who may in like manner be ſet aſide or excuſed, and others drawn to ſupply their places, until the whole number of 37 not liable to be ſo ſet aſide or excuſed be compleat; and the petitioners or their agents ſhall then name one, and the ſitting members or their agents another, from among the members then preſent, whoſe names ſhall not have been drawn, to be added to thoſe ſo choſen by lot. Others drawn, till 37. one named on each ſide added.

XVI. *ſect.* 12. Either nominee ſet aſide for any of the ſame cauſes as thoſe by lot, or, if he require it, excuſed, and the party ſhall nominate another in his ſtead, and ſo continue, as often as the caſe happens, until his nominee admitted. Nominee ſet aſide for ſame cauſes.

XVII. *ſect.* 13. As ſoon as ſaid 37 ſo choſen and the 2 members ſo nominated, the door opened, and the houſe may proceed on any other buſineſs, and liſts of the 37 then given to the petitioners, counſel, or agents, and counſel or agents for the ſitting members, who ſhall immediately withdraw, together with the clerk appointed to attend ſaid committee, and ſaid petitioners and ſitting members, their counſel or agents, beginning on the part of petitioners, ſhall alternately ſtrike off one of the ſaid 37, until ſaid number reduced to 13; and ſaid clerk within one hour at fartheſt from the time of the parties withdrawing ſhall deliver into the houſe the names of the 13 remaining, who together with the two nominated ſhall be ſworn at the table well and truly to try the matter of the petition referred to them, and a true judgment to give according to the evidence, and ſhall be a ſelect committee to try and determine the merits of the return or election appointed to be that day taken into conſideration; and the houſe ſhall order ſaid committee to meet at a certain time fixed by the houſe, which ſhall be within 24 hours of the appointment of ſaid committee, unleſs Sunday or Chriſtmas day intervene; and their place of meeting and ſitting ſhall be ſome convenient room or place adjacent to the houſe of commons or court of requeſts properly prepared for that purpoſe. Liſts of the 37 &c. parties to ſtrike alternately till 13 left. ſworn with clerk &c. a ſelect committee. place and time of meeting.

XVIII. *ſect.*

XVIII. *ſect.* 14. On the parties ſo withdrawing the houſe ſhall continue ſitting; and ſaid 39 ſhall not depart the houſe 'till the time for meeting of ſaid committee fixed.

Another drawn in place of nominee drawn,

XIX. *ſect.* 15. If on drawing any member by lot either party or their agents declare him intended to be one of the nominees, and he ſhall conſent to ſuch nomination, his name ſet aſide, and, unleſs objected to as aforeſaid, ſhall ſerve as ſuch nominee, and another drawn to ſupply his place to compleat 37; if either nominate not a member preſent admitted as by this act, ſupplied by drawing inſtead one or two (as the caſe requires) ſubject to like objections and excuſes as the other 37, added to the liſts, and liable to be ſtruck off, leaving always 15 in the whole, and no more, as a ſelect committee.

want of nomination ſupplied,

15 in the whole.

Atteſtation by clerk, and the ſpeaker,

XX. *ſect.* 16. Names of all the members ſo written and rolled up ſhall previous to the day for taking ſaid petition into conſideration be prepared by ſaid clerk or aſſiſtant, and put into a box or parcel in the ſpeaker's preſence, with an atteſtation ſigned by ſaid clerk or aſſiſtant that the names of all the members were by him put there on the day of in the year ; which ſaid box or parcel the ſpeaker ſhall ſeal with his own ſeal, and to the outſide annex an atteſtation ſigned by himſelf, that the ſaid box or parcel was on the day of on the year made up in his preſence in manner directed by this act; and as ſoon as the parties withdrawn, and before the houſe enter on other buſineſs, any member may require, that the names of all the members, which remain undrawn, ſhall be drawn and read aloud by ſaid clerk or aſſiſtant.

names undrawn read, if required.

Election of chairman, caſting voice firſt drawn.

XXI. *ſect.* 17. Select committee ſhall on meeting elect a chairman among ſuch as choſen by lot; if voices equal, he, whoſe name firſt drawn in the houſe ſhall have a caſting voice; ſo if ever occaſion for electing a new chairman on death or neceſſary abſence of the firſt elected.

Send for p. perſons, &c. try merits or whether election void, entered on journals.

XXII. *ſect.* 18. Committee may ſend for perſons, papers, and records, examine all witneſſes on oath, try the merits, and determine by majority of voices whether either be duly elected, or the election void; which ſhall be final between the parties to all intents and purpoſes; and the houſe, informed thereof by the chairman, ſhall order it to be entered on their journals, and give neceſſary directions for confirming or altering the return, or iſſuing a new writ for new election, or carrying ſaid determination into execution.

Adjournment not above 24 hours.

XXIII. *ſect.* 19. Committee ſhall ſit every day except Sunday and Chriſtmas, and never adjourn longer than 24 hours, without leave of the houſe on motion and ſpecial cauſe aſſigned. If the houſe ſitting at the time, to which committee adjourned, the buſineſs ſtayed, and a motion for farther adjournment fixed by the houſe not exceeding 24 hours unleſs Sunday or Chriſtmas.

Sunday or Chriſtmas excluded.

XXIV. *ſect.* 20. Where time for meeting, ſitting, or adjournment by intervention of Sunday or Chriſtmas exceeds 24 hours, it ſhall be within 24 hours from the time of appointing or fixing the ſame excluſive.

Abſence not without leave; adjournment reported.

XXV. *ſect.* 21. No member of committee to abſent himſelf without leave from or excuſe allowed by the houſe at next ſitting on ſpecial cauſe ſhewn and verified on oath; never ſhall ſit, until all members, to whom ſuch leave not granted nor excuſe allowed, are met. If they ſhall not all meet within one hour after the time, to which ſaid committee adjourned, further adjournment ſhall be made as before directed, and reported with the cauſe to the houſe.

Abſence puniſhed, unleſs cauſe on oath.

XXVI. *ſect.* 22. Chairman ſhall at next meeting of the houſe always report the name of every member, abſent without ſuch leave or excuſe, and ſuch member ſhall be directed to attend the houſe next ſitting, and then ordered to be taken into

cuſtody

cuſtody for ſuch neglect, and otherwiſe puniſhed or cenſured at diſcretion of the houſe, unleſs it appears by facts ſpecially ſtated and verified on oath, that ſuch member was by ſudden accident or neceſſity prevented.

XXVII. *ſect.* 23. If more than two of ſelect committee on any account abſent, committee ſhall adjourn as before directed, and ſo from time to time till 13 aſſembled. Adjourned if more than 2 abſent.

XXVIII. *ſect.* 24. If the number able to attend by death or otherwiſe unavoidably reduced to leſs than 13, and ſo for 3 ſitting days, ſaid committee diſſolved, and another choſen to try and determine ſuch petition in manner aforeſaid; and all proceedings of the former void and of no effect. If reduced to leſs than 13 3 ſitting days, diſſolved; another choſen.

XXIX. *ſect.* 25. If the committee come to any reſolution other than the determination above, they ſhall, if they think proper, report it to the houſe for their opinion, at the ſame time that the chairman ſhall inform the houſe of ſuch determination; and the houſe may confirm or diſagree, and make ſuch orders, as ſhall ſeem proper. Reſolutions reported.

XXX. *ſect.* 26. If any ſummoned diſobey, or witneſs prevaricate or otherwiſe miſbehave in giving or refuſing evidence, chairman may at any time during courſe of proceedings report to the houſe, for interpoſition of their authority or cenſure, as the caſe requires. Summons diſobeyed, or witneſs misbehaving, chairman to report.

XXXI. *ſ.* 27. Whenever ſaid committee think neceſſary to deliberate among themſelves on any queſtion in courſe of the trial or determination thereof, or on any reſolution concerning the petition referred, as ſoon as ſaid committee have heard evidence and counſel on both ſides relative thereto, the room ſhall be cleared, if they ſhall think proper, while the members conſider; all ſuch queſtions, determinations, and all other reſolutions, ſhall be by majority of voices; if equal, chairman ſhall have a caſting voice. Deliberate among themſelves, majority of voices, caſting voice to chairman.

XXXII. *ſ.* 28. No determination made, nor queſtion propoſed, unleſs thirteen preſent. No member ſhall vote on ſuch determination, or any other queſtion or reſolution, who has not attended every ſitting. 13 preſent to attend every ſitting to vote.

XXXIII. *ſ.* 29. Oaths directed to be taken in the houſe adminiſtered by ſaid clerk or aſſiſtant, as the oaths of allegiance and ſupremacy are in the houſe, and oaths, directed before ſaid committee, by the clerk attending; all guilty of wilful and corrupt perjury, before the houſe or committee in conſequence of the oath by direction of this act, ſhall on conviction ſuffer like pains and penalties, to which any other convicted of wilful and corrupt perjury is liable by the laws and ſtatutes. Oath adminiſtered by clerks. Perjury puniſhed.

XXXIV. *ſ.* 30. On day appointed for taking into conſideration any petition complaining of undue election or return, the houſe ſhall not proceed to any other buſineſs whatſoever, except ſwearing members previous to reading order of the day. No other buſineſs on the day but ſwearing members.

XXXV. *ſ.* 31. If ſaid committee has occaſion to apply or report to the houſe as to adjournment, abſence of members, non-attendance, or miſbehaviour of witneſſes, and the houſe then adjourned for more than three days, ſaid committee may alſo adjourn to ſame day. Adjournment to ſame day as the houſe.

XXXVI. *ſ.* 32. If on petition of undue election or return more than two parties on diſtinct intereſts, or upon different grounds, whoſe right to be elected or returned may be affected by the determination, the ſame notice and orders ſhall be given to ſuch parties or agents, as directed to the ſitting members or petitioners; and each of ſaid parties ſhall ſucceſſively ſtrike off a member from the thirty-ſeven choſen by lot, 'till reduced to thirteen; and the liſt of the thirty-ſeven ſhall for this purpoſe be given to all ſaid parties; and the order, in which ſaid parties ſhall ſo ſtrike, ſhall be determined by lot, after they are withdrawn from the bar; and in Where different parties in diſtinct intereſts, ſame notices and orders, but nominees by the 13, like objections.

ſuch caſe neither of ſaid parties there being more than two ſhall be permitted to name a member to be added to thoſe ſo drawn by lot, but as ſoon as the liſt of thirteen returned to the houſe, ſuch thirteen ſhall immediately, and by themſelves chuſe two members then preſent in the houſe, whoſe names ſhall not have been drawn, to be added to the ſaid thirteen; and ſhall within one hour from the time of their withdrawing, report the names of ſuch two of the houſe; which two members ſhall be liable to be ſet aſide on the like objection, for which nominees may be ſet aſide, and if they or either ſet aſide for any ſaid cauſes, then the ſaid thirteen ſhall chuſe one or two other, until two are choſen, againſt whom none of the objections to nominees, mention in this act, ſhall be taken and allowed; and ſuch two and all the ſaid thirteen ſworn at the table; and ſhall be the ſelect committee for purpoſes in this act.

XXXVII. *ſ.* 33. When ſaid nominees directed to be named by ſaid thirteen, no member preſent at the time of the ballot ſhall depart the houſe, 'till the time of meeting of ſaid committee fixed.

continued 7 years, &c.

XXXVIII. *ſ.* 34. This act ſhall continue ſeven years, and 'till the end of the ſeſſion next after expiration of ſaid ſeven years, and no longer.

XXXIX. *Stat.* 11 & 12 *Geo.* 3. *c.* 12. *ſ.* 1. Whereas the ſeveral laws heretore for reſtraining the privilege of parliament with reſpect to actions or ſuits, commenced and proſecuted at any time from and immediately after the diſſolution or prorogation, until a new parliament ſhould meet, or the ſame be re-aſſembled, and after an adjournment of both houſes, for above ten days, until both houſes ſhould meet or re-aſſemble, are ſufficient, to obviate the inconveniencies ariſing from the delay of ſuits by reaſon of privilege, whereby the parties often loſe the benefit of ſeveral terms; after the firſt of June, 1772, any action or ſuit between party and party may be commenced and proſecuted in any court of record, or court of equity, or of admiralty, and in all cauſes matrimonial and teſtamentary in any court having cognizance of cauſes matrimonial and teſtamentary, againſt any peer or lord of parliament of Ireland, or againſt any of the knights, citizens, and burgeſſes of the houſe of commons, or againſt their or any of their ſervants, or any other perſon intitled to privilege of parliament; and no ſuch action, ſuit, or any other proceſs or proceeding thereupon, ſhall at any time be impeached, ſtayed, or delayed, by, or under colour or pretence of, any privilege of parliament.

Action, ſuit, or proceſs not delayed by privilege.

XL. *ſ.* 2. Nothing in this act ſhall be conſtrued to extend to infringe upon the undoubted adherent privileges of peerage, nor to ſubject the perſon of any of the knights, citizens, and burgeſſes of the houſe of commons, to be arreſted or impriſoned upon any ſuch ſuit or proceeding.

Inherent privileges of peerage not infringed. Perſons of the commons not arreſted or impriſoned.

XLI. *ſ.* 3. This act ſhall continue in force until the 24th of June, 1778, and to the end of the then next ſeſſion, and no longer.

continued 'till 24 June 1778, &c.

## Partnerſhips.

15 G. 2. c. 7.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 25. *ſect.* 1. Henceforth any number of perſons may and ſhall hereby be impowered to enter into any contract of partnerſhip by writing under hands and ſeals for the undertaking or carrying on and compleating, any canal or inland navigation, or for erecting or eſtabliſhing any joint company for aſſurance againſt caſualities by fire, by a common or united ſtock, ſuch as by the majority of ſuch partners ſhall be judged expedient and neceſſary for ſaid purpoſes; and if any one or more of ſuch partners as aforeſaid, his, her, or their executors, adminiſtrators,

Any number may contract for a canal or inland navigation, or company for aſſurance againſt fire, by united ſtock as by majority

ſtrators, or aſſigns, and if the guardian or truſtee of any partner or partners, being twenty-one years, ſhall neglect or refuſe to pay into the joint ſtock ſuch part, proportion, or quota, of any money, as he, ſhe or they ſhall from time to time be liable to by the deed, articles, or agreement of ſuch partnerſhip, for three calendar months next after ſuch partner or partners, his, her, or their executors, adminiſtrators, or aſſigns, or nine months next after any ſuch guardians, or truſtees, ſhall be ſerved with a ſummons or notice in writing for that purpoſe, ſigned by the major part of the partners aforeſaid, or by ſuch perſon as legally authorized for that purpoſe, by the original deed or deeds of partnerſhip, or in purſuance of the ſame, it ſhall be lawful for the major part of ſuch partners, or perſon authorized as aforeſaid, to ſell by publick cant the ſhare or proportion of ſuch perſon or perſons refuſing or neglecting to pay the ſum charged on him, her, or them as aforeſaid.

if any partner pay not his ſhare in 3 months after ſummons, or guardians in 9, ſold by majority by publick cant.

II. *ſ.* 2. Notice ſhall be firſt given eight ſeveral times ſucceſſively by advertiſement in the Dublin Gazette of the time and place of every ſuch ſale; and the money ariſing from every ſuch ſale ſhall be paid over to every ſuch perſon and perſons, as ſhall be intitled to ſuch ſhare or ſhares, at the reſpective times of ſuch ſale, the expence of ſaid advertiſements and ſale, and ſuch rateable part or proportion of all debts affecting the joint ſtock as ſhall be due at the time of ſuch ſale, being firſt deducted.

8 advertiſements of ſale, the money to perſons intitled, deducting expences and proportion of debts.

III. *ſ.* 3. If any part, ſhare, or proportion in any ſuch partnerſhip ſhall by death or otherwiſe fall to or become the property of any perſons under age, the guardians or truſtees of ſuch perſons, ſhall be impowered to go on with ſaid partnerſhip buſineſs, and to pay into the joint ſtock that part or proportion of ſuch money, as the perſons ſo under age liable unto; and to ſell and diſpoſe of to the beſt advantage ſuch part, ſhare, or proportion of every ſuch perſon under age; and ſhall be accountable to ſuch perſons, when they ſhall come to full age, for any ſuch ſum of money, gain, or profit, ariſing either by ſuch ſale or carrying on of the ſaid ſtock.

Guardian or truſtee may go on, and pay the ſhare,

or ſell to beſt advantage, accountable when of age.

## Poor.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 30. *ſect.* 1. One act in the 33 H. 8, *for vagabonds*; and another act 11 C. 1. *for erecting houſes of correction, and puniſhing of rogues, vagabonds, and ſturdy beggars, and other lewd and idle perſons*; repealed and made void, from the 24th of June 1772.

33 H. 8. c. 13. & 10 & 11 C. 1. c. repealed.

II. *ſ.* 2. After the 24th of June, 1772, there ſhall be and one body politick and corporate is hereby created and erected in every county of a city and town, conſiſting in every ſuch county of the archbiſhop or biſhop, whoſe dioceſe or any part of whoſe dioceſe ſhall extend into ſuch county, of the repreſentatives in parliament for ſuch county, of all the juſtices of the peace commiſſioned or choſen to act as ſuch in any ſuch county, and every county of a city or town, of the chief magiſtrate, ſheriffs, and recorder, likewiſe of the two repreſentatives, and of the juſtices for ſuch county of a city or town, all for the time being, and alſo of ſuch perſons as are herein after mentioned; which corporation ſhall be called by the name of the preſident and aſſiſtants inſtituted for the relief of the poor, and for puniſhing vagabonds and ſturdy beggars, applying to every of them the name of its proper county, city, or town, by the words for the county of Which corporations ſhall have a perpetual duration and ſucceſſion, and may ſue and be ſued in all courts of juſtice, by thoſe names reſpectively, and ſhall have a common ſeal, and ſhall meet at and adjourn to ſuch times and places within their counties, cities, or towns, as they think fit, ſave only that ſaid corporations are here-

Corporation created in every county, and of city or town, the dioceſan, repreſentatives, all the juſtices in counties of towns chief magiſtrates, ſheriffs, and recorder, repreſentatives, and juſtices, and perſons mentioned, name of corporations, ſue and be ſued thereby, perpetual, common ſeal, to meet and adjourn,

first meeting, by required respectively to meet for the first time on the day, or on the day next after the day at their election, when the judges, who shall hold the next summer assizes, or either of such judges, shall depart from the town or place, where the assizes shall be held, at the hall or session house respectively, where the judges shall have sat for the business of the assizes, at such hour as they think fit; but the corporation for the county of the city of Dublin shall meet on the first monday of next August at the Tholsel, at such hour as they think fit; and at the first and every future meeting of the said corporations respectively the archbishop or bishops, if present when the said corporations or *quorums* of them respectively shall assemble, shall take the chair, put every question, declare the majority of votes, and do all duties of president or head of the corporation for that meeting; but if the archbishop or bishop not present when said corporations respectively first assemble, the representative for that county, city, or town, who shall first come on that day to the place of meeting, if both attend, and if not the representative, who shall be present, when the said corporations or *quorums* of them respectively assemble; and if the archbishop or bishop, or the representatives, or either of them, shall not attend, in every city and county of a town the chief magistrate, or in his default, and in every county at large, the oldest justice of the peace present, shall take the chair, and do all duties of president or head of the corporation for that meeting; and said corporations respectively shall be considered as assembled for the purpose of determining, who shall be the president of that day, when four shall have come to the place of meeting at the aforesaid time appointed for the first meeting, and at all subsequent times, after four of the said corporations shall have come to the place of the meeting at the respective times to be appointed for such meetings; and every person qualified or capable as aforesaid of presiding at the meetings of said corporations, may at all times after the first time appointed for meeting, by notice in writing signed by him, posted at the proper assizes town, or Tholsel in Dublin, six days at least before time of meeting, exclusive of the day of posting such notice and day of meeting, convene the said corporations respectively, to do all corporate acts; but no second notice signed by a different person, shall supersede a former, of which said corporations respectively five shall be a competent number to do all corporate acts; and said corporations are hereby respectively authorized and impowered to elect during good behaviour such other persons residing within their counties, cities, or towns respectively, as they shall think fit; and those also who shall contribute not less than twenty pounds, or shall subscribe and pay any annual sum not less than three pounds, to be applied to the charitable purposes herein expressed, to be members of the said corporations respectively; and said corporatons respectively are hereby authorized to make bye-laws, reasonable and consonant to the laws of the land, and to appoint standing committees for the purposes herein after mentioned, to meet and act at a certain place to be appointed in each county, city, or town; and said corporations respectively, are qualified to accept or take by purchase or voluntary grant, or devise, any lands, tenements, or hereditaments of inheritance, or for lives, not exceeding to any one of said corporations the clear yearly value of five hundred pounds, any law to the contrary in any wise notwithstanding; but the corporation of any of said counties, cities, or towns shall at no time have a capacity to take lands of inheritance or for lives of a greater value than as aforesaid, except in the case of eviction or determination of intereſt, in which case said corporations respectively may make such new acquisition as aforesaid, not exceeding the clear yearly value aforesaid; and said corporations are qualified to take all such donations in personal property, as shall be made to them, and to accept of all leases for years of houses or lands, so as no such lease shall exceed

the bishop to preside, if present,

or representative first coming,

chief magistrate, or oldest justice,

president to sign a notice, to convene,

posted at assize town,

6 days exclusive before meeting,

5 a quorum, to elect others resident,

and those contributing 20 l. or 3 l. annually,

reasonable bye-laws,

standing committees,

of inheritance or lives to take lands 500 l. a year for each,

no new acquisition, unless eviction or determination of interest,

may take all personal leases years not above 21,

exceed twenty-one years; but every leaſe for years of lands or of a houſe to any of ſaid corporations, exceeding that term, ſhall be void, except as hereafter excepted.

III. *ſect.* 3. Said corporations reſpectively, over and above the five hundred pounds a year, and leaſes for years, which they are authorized to acquire, may alſo be capable and qualified to take by grant or by deviſe any quantity of ground or land within their counties, not exceeding in a city or town two roods plantation meaſure, and not exceeding in the open country twenty acres of like meaſure, for the ſites of houſes to be built for the reception of the helpleſs poor, and for keeping in reſtraint ſturdy beggars and vagabonds, as herein after is directed.

May alſo take 2 roods in city or town, 20 acres in the open country, for ſites of houſes for the poor and for ſturdy beggars and vagabonds.

IV. *ſect.* 4. Every archbiſhop and biſhop may grant ſuch portions of ground or land as aforeſaid out of the eſtates of their ſees reſpectively to ſaid corporations reſpectively, for the ſites of ſuch houſes, for ſuch eſtate or eſtates, whether in fee, for lives renewable or not renewable, or for years, at ſuch rent and fines as ſuch archbiſhop or biſhop ſhall think fit, or without any rent or fine, if ſuch archbiſhop or biſhop ſhall think fit; and every ſuch grant and leaſe ſhall be good and valid againſt ſuch archbiſhop and biſhop, and their ſucceſſors, without concurrence of any other perſon or body of men, notwithſtanding an act C. 1. *for the preſervation of the inheritance, rights, and profits of lands belonging to the church and perſons eccleſiaſtical*, or any other law or uſage that is or has been of force in this kingdom; and ſaid corporations reſpectively are required to grant to the helpleſs poor, who have reſided for one year within their reſpective counties, cities, or towns, badges, or marks of ſuch materials, and of ſuch a ſtamp or impreſſion, at they think fit; and to grant to ſuch helpleſs poor a licence to beg in ſuch barony, city, town, or pariſh, within the counties of ſaid corporations reſpectively, as they think fit, for ſuch a time or term as they think fit, ſpecifying the names and places of birth, and characters of the perſons ſo licenſed, and the cauſes, as nearly as may be collected, of the poverty of the perſon licenſed, and whether reduced to that ſtate by ſickneſs or misfortune; and are authorized to licenſe ſo many juſtices of the peace within their counties, as they think fit, to deliver ſuch badges, and grant ſuch licences.

Biſhops may grant for ſuch ſites in fee, for lives, or years, with or without rent or fine;

notwithſtanding 10 & 11 C. 1. c. 1. or other law;

corporations may grant badges to the poor reſident one year;

and licence to beg;

ſpecifying name, birth, character and cauſe of poverty;

juſtices licenſed to deliver badges and licences.

V. *ſect.* 5. Said corporations may, and are required to build hoſpitals, to be called work-houſes or houſes of induſtry, and for the relief of the poor in their reſpective counties, as ſoon as they ſhall be poſſeſſed of funds ſufficient, as plain, as durable, and at as moderate expences as may be; and thoſe hoſpitals divided into four parts; of which one is to be allotted for ſuch poor helpleſs men, as judged worthy of admiſſion; one other for reception of poor helpleſs women; one other for men who ſhall be committed to the hoſpital, as hereafter is directed, as vagabonds or ſturdy beggars, able or fit for labour; and the fourth part for ſuch idle, ſtrolling, and diſorderly women as ſhall be committed to the hoſpital, as herein after is directed, and found able or fit for labour.

Hoſpitals to be built,

in 4 parts;

for poor men;

women;

vagabonds or ſturdy beggars;

ſtrolling and diſorderly women.

VI. *ſect.* 6. Every man above the age of fifteen years, who ſhall be found begging without ſuch licence, and ſhall not wear ſuch badge, expoſed to publick view on the back or ſhoulder, ſhall be committed to ſtocks by any juſtice, authorized to act for the county, city, or town, where ſuch perſon found begging, and to be ſo kept in ſtocks not exceeding three hours for the firſt offence, and for every ſubſequent offence not exceeding ſix hours; and every old perſevering offender may be indicted and tried for ſuch his offence at the quarter-ſeſſions for the county, city, or town where the party ſhall have offended, or any adjournment thereof; and, if convicted of ſuch offences by a jury, ſhall ſuffer impriſonment in the common priſon of the county, city, or town, without bail or mainprize, not exceeding two calendar months; and if after ſuch conviction the perſon ſo convicted ſhall again offend

Every man above 15, begging without licence or badge expoſed, ſet in ſtocks by a juſtice 3 hours, ſubſequent offence 6;

perſevering offender indicted at ſeſſions, impriſoned 2 months;

as

for every new offence whipped, and 4 months;

females confined in place appointed 5 hours, subsequent offence 6; persevering indicted at sessions.

Persons appointed at salaries to seize and carry before next justice;

justices impowered to determine;

examine on oath, and commit, unless bail to appear;

justices on view may seize and punish;

the crime specified in the warrant: children under 10, not apprenticed or provided, their names and age inserted in the licence, or so many, as thought fit, taken and conveyed to the committee, and the rest inserted in parents licence; fatherless children under 8 taken up, conveyed to the committee; theirs under 8 to the charter school, the rest apprenticed: correspondence between committees and charter school society, who are to inform, when they have room;

as aforesaid, such person being convicted as aforesaid of such new offence before the justices at quarter sessions for the county where such offence committed; or any adjournment thereof, may be sentenced by said justices to be, and shall be accordingly publickly whipped in any market town in said county, and shall also be again imprisoned as aforesaid, not exceeding four calendar months, and so in consequence of every conviction after the first, as often as the party shall offend; and in the case of females found begging without such licence and badge, every such female shall be confined in any place appointed for that purpose by any justice of the peace of that county, city, or town, for the first offence not exceeding three hours, and for every subsequent such offence not exceeding six hours; and every old and persevering such female offender shall be proceeded against at the sessions as aforesaid.

VII. *sect.* 7. Said corporations respectively may under their common seals appoint such and so many persons in the counties, cities, or towns, within their jurisdictions respectively, at reasonable and moderate salaries, as they think fit, to seize and arrest all such persons whom they shall find begging without such licence and badge, and carry all such persons before the next justice for the county, city, or town, who, on oath made before them respectively that the party has offended as aforesaid, may commit to the stocks, or otherwise, as aforesaid; and the justices at quarter sessions are impowered to hear, try, and determine said offences referred to the sessions, and on conviction, to pronounce such judgments; and the justices, before whom such offenders, whose crimes are referred to the sessions, shall be brought, are authorized to examine one or more witnesses upon oath, and to take written informations to the charge, and on the positive oath of any witness, to commit the party accused to prison, to be proceeded against as aforesaid, unless the party accused can procure bail to appear at the sessions; and all justices are required within their counties, cities, or towns, on their own view and observation, to cause every such person who shall beg without such licence or badge, to be seized and put into and continued in stocks or confinement as aforesaid, to be dealt with for every first and subsequent offence as aforesaid; and also on their view and observation without other evidence to commit such old and persevering offenders to prison, to be proceeded against as aforesaid, specifying in the warrant of committal the crime; and so all justices of the peace are hereby required to do likewise, where these committals are grounded on an information on oath, that the parties committed may be bailed by any other justice of the peace, if he may procure bail before trial, to appear at the next sitting of the quarter sessions: and in every case where a poor person, thought worthy of a licence and badge, shall have one or more children under ten years, not apprenticed, or otherwise provided for, the person, applied to for a badge and licence, shall either insert the names, number, and age of such children in the licence, or at his election shall take such or so many of them, as he shall think fit, from the parent, and convey to the committee of that county, city, or town, and insert the names of the rest in the parents licence: and if any fatherless or deserted poor children under eight, found strolling and begging, it shall be lawful for those appointed to grant licences, to take up such children, and convey them to the committee of that county, city, or town; and the said committees respectively may convey such of said children, who shall be under eight, to such charter school nursery, as shall receive them, and may apprentice the rest: and said committees are required to keep up a correspondence with the incorporated society for protestant charter schools, that they may be informed time after time, when room or accommodation may be had for poor children; and said society are required to give that information to said committees; and the said committee are hereby required to communicate time after time the information, they shall so receive, to the

persons

perſons who ſhall be authorized to take up poor children as aforeſaid; and ſaid perſons may from time to time, as often as they ſhall think fit, order all ſuch children, or ſo many as they think fit, whoſe names ſhall have been inſerted in licences as aforeſaid, to be taken up and conveyed to ſaid committees reſpectively, that all poor children may as much as poſſible be prevented from ſtrolling, and be put to trades or induſtry.

commissioners to inform perſons authorized to take up children;
that all poor children may be prevented from ſtrolling, and put to induſtry.

VIII. *ſect.* 8. Said corporations required, as ſoon as they have acquired funds ſufficient for building and furniſhing houſes of induſtry as aforeſaid, to take into thoſe houſes ſo many vagrants, ſturdy beggars, and vagabonds, to be kept at hard labour, and ſo many helpleſs poor, as their funds ſhall admit of; and ſaid corporations required to ſeize every ſtrolling vagrant capable of labour, who hath no place of abode, and who doth not live by labour and induſtry, and every perſon above fifteen, who ſhall beg publickly without ſuch licence or badge, or after the term of ſuch licence ſhall be out and not renewed, and every ſtrolling proſtitute capable of labour, and to commit ſaid perſons laſt mentioned to diviſions allotted reſpectively for them, in ſaid houſes or hoſpitals, and there keep them to hard labour, and to compel them to work, maintaining them properly, and in caſe of refuſal or ill behaviour to inflict reaſonable corporal puniſhment on offenders, and to keep all ſaid diſorderly perſons ſo in reſtraint for the firſt time of commitment for any time, not exceeding two calendar months; and if, being ſet at liberty, or having eſcaped, they ſhall return to their former courſes of life, each perſon ſo offending ſhall be kept in reſtraint after a ſecond commitment not exceeding four calendar months; and after a third commitment, for any ſpace not exceeding one year; and after a fourth commitment, not exceeding two years: and if any of ſaid diſorderly perſons being ſet at liberty a fourth time, ſhall return to former courſe, then for any time the corporation of that county, city, or town, where ſuch offender found ſo tranſgreſſing, not exceeding four years, ſhall think fit, and ſo again after expiration of that term: and ſaid corporations reſpectively are required to make bye-laws and orders for government of every ſuch houſe or hoſpital, and to appoint maſters and other fit perſons and ſervants to govern and take care of ſuch houſes and hoſpitals at reaſonable and moderate ſalaries and wages; and may alſo appoint treaſurers to receive ſuch donations and rents, as they ſhall reſpectively acquire or become intitled to, at moderate ſalaries; and warned and required to expend ſuch donations and rents for the charitable purpoſes herein expreſſed with the greateſt care and œconomy at the peril of every individual, who ſhall be perſonally anſwerable for any embezzlement or miſapplication of, or partiality in the diſpoſal of, any part of the revenues or property of ſaid corporations reſpectively, which ſuch individuals ſhall be guilty of, or concur in, by a ſuit in name of the attorney general, either in chancery, or exchequer, which the ſaid courts are required to hear and determine; and in every ſuch ſuit coſts ſhall be awarded againſt the defendants, if found culpable, as aforeſaid; and in every ſuit a relator of property and reputation ſhall be named, againſt whom coſts ſhall be awarded to defendant, if the ſuit or complaint ſhall appear to be groundleſs: and if any action brought againſt any perſon for executing any of the powers, or acting in any of the duties, herein expreſſed, defendants may plead the general iſſue, and give the ſpecial matter in evidence; and in every caſe, where plaintiff in ſuch ſuit ſhall fail, the court, in which ſuch ſuit carried on, ſhall award coſts to defendant; or if plaintiff unable to pay ſuch coſts, the court may order ſuch plaintiff to be whipped in ſome market-town in the county, where the action laid.

commissioners as many taken in, as the funds admit;
of vagrants, &c. to hard labour, and helpleſs poor;
vagrants capable of labour ſeiſed;
above 15 begging without licence or badge, or after licence expired,
ſtrolling proſtitutes,
committed to reſpective diviſions,
compelled to work,
maintained properly,
on refuſal or miſbehaviour
corporal puniſhment,
1ſt commitment 2 months;
2d four;
3d a year;
4th 2 years;
afterwards 4 years,
and ſo again:
by-laws and orders for hoſpitals,
maſters, &c. at moderate ſalaries;
and treaſurers;
donations and rents expended with care and œconomy at peril of every individual,
embezzlement or partiality ſued for in C. or E.
in name of attorney general,
coſts if culpable,
a relator of property and reputation,
coſts if groundleſs:
general iſſue;
coſts to defendants;
plaintiff, unable to pay, whipped.

IX. *ſect.*

Parliament every spring affess for county of city or town not under 100l. nor above 200l. before 1st November, counties at large not under 200l. nor above 400l.

paid to corporations or treasurers without deduction,

assessed and collected as county rates)

separate receipts given,

Counterfeit or borrowed badge or licence,

by a justices imprisoned 10 days.

IX. *sect.* 9. In order to create some revenues for said corporations at the out-set, the grand juries of every county, county of a city and town, for ever, may, and are authorized and required at every spring assizes, after the twelfth of February, 1773, to present in every county of a city or town, to be raised by presentment from off the lands and houses in that county, equally and rateably, before the first of November then next, any sum not less than one hundred pounds, nor more than two hundred pounds, and from off the lands and houses of every county at large as aforesaid any sum not less than two hundred pounds, nor more than four hundred pounds, to be paid to the corporations of said counties respectively, or to their treasurers, without any fee or deduction whatsoever, for the charitable purposes aforesaid, and to be assessed and collected as other county taxes; and for the said tax hereby imposed the collectors thereof are hereby required to give to those, who pay it, receipts separate and distinct from those given for other taxes.

X. *sect.* 10. If any person shall go about begging with a badge or licence counterfeited to the likeness or to an imitation of the licences and badges aforesaid, or shall beg with a borrowed licence or badge, or with a licence or badge given or intended for another person, every person so offending, being convicted before two justices, who may hear and determine every such complaint summarily, shall be committed to the common gaol of the county, to remain without bail or mainprize ten days.

Not continued in stocks after 4 from 1 Dec. to 1 Mar.

except catched in the act of begging and committed after four;

nor after sunset, except in like instances:

clergy on days appointed permitted to preach and recommend the charity, and collections in parishes, paid to the corporations.

XI. *sect.* 11. No person for any of the offences herein shall be continued in stocks after four in the afternoon, from first of December to first of March, excepting where beggars shall in that interval be catched in the act of begging contrary to this act, and committed to stocks after four in the afternoon, or in the evening, for that offence; nor shall any person be continued in stocks for any of the offences herein at any time of the year after sun-set, excepting those instances where beggars catched after sun-set in the act of begging, and committed to stocks for that offence: and the rectors, vicars, and incumbents of all parishes in this kingdom are required to permit such clergymen of the established church, as said corporations respectively shall appoint, to preach sermons in their churches respectively, and in every year, on such days as said corporations respectively shall appoint, to recommend the charitable purposes herein expressed to the congregations assembled, and to all the inhabitants of those parishes, and to permit collections to be made on the days when such sermons shall be preached in those churches, and throughout the said parishes respectively, in consequence of those sermons; and said corporations are required to appoint fit persons to make such collections; and the sums, so collected throughout every county, shall be paid to the corporations of that county, to be applied within that county for the charitable purposes aforesaid.

## possession.

25 G. 2. c. 12. continued 7 years, &c.

I. *Stat.* 7 *Geo.* 3. *cap.* 20, *sect.* 6. An act 25 G. 2. *for more effectual execution of orders of justice for giving and quieting possessions* further continued seven years from one June 1768 and to end of the then next session after expiration of said seven years.

## presentment.

For rents of court-house, gaols, offices of records,

I. *Stat.* 7 *Geo.* 3. *cap.* 4. *sect.* 1. In every county, in which a certain rent payable for the courthouse, gaol or offices for keeping the records, the respective grand juries

juries at their aſſiſes ſhall preſent yearly ſuch rents to be raiſed upon their counties; and the judges of aſſiſe ſhall have power (if they ſee fit) to confirm ſuch preſentments; and the money ſo preſented and confirmed ſhall be raiſed and paid to ſuch perſons, to whom ſuch rents are or ſhall be payable, without any deduction whatſoever.

II. *ſect.* 2. Grand juries of the ſeveral cities in this kingdom at their aſſiſes may preſent ſuch ſums, as they ſhall think proper, for building and maintaining workhouſes and houſes of correction for diſorderly perſons within their cities or in ſome convenient place adjoining to the ſame, as they ſhall judge neceſſary for the purpoſe; and the judges of aſſiſe may, if they ſee fit, confirm ſuch preſentments. Workhouſes.

III. *ſect.* 3. The ſum for building any ſuch workhouſe ſhall not exceed in the whole 200l. and for maintaining ſhall not in any one year exceed in the whole 20 pounds. Not exceeding 200l. for building, 20l. a year maintaining.

## Priſoners.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 34. *ſect.* 1. Whereas perſons, indicted for high treaſon and felony, may remove as well their bodies as indictments into the king's bench, if that court ſhall think fit, and cannot by order of law be remitted; the juſtices of king's bench ſhall have full authority and power by their diſcretions to remand and ſend down as well the bodies of all ſuch perſons as their indictments into the counties, where the ſaid high treaſon or felony charged in ſaid indictments to be committed or done, and to command all juſtices of gaol delivery, juſtices of peace, and all other juſtices and commiſſioners of oyer and terminer, to proceed and determine upon all the aforeſaid bodies and indictments ſo removed, after the courſe of the common law, in ſuch manner as any of them, might or ſhould have done, if ſaid priſoners or indictments had never been brought into the king's bench. Priſoners and indictments for H. treaſon or felony remanded by B. R. as if never removed.

## Qualifying.

I. *Stat.* 7 *Geo.* 3. *cap.* 16. *ſect.* 3. All perſons, who have been or ſhall be appointed juſtices of the peace, who have once qualified, and taken and ſubſcribed or ſhall take and ſubſcribe the oaths, and have or ſhall receive the ſacrament, and make, repeat, and ſubſcribe the declaration in ſuch manner and form, place and places, as are directed and appointed by the act 2 Anne, c. 6. *to prevent the further growth of popery*, and all who ſhall be appointed by any commiſſion, which ſhall be granted after his majeſty's demiſe by any of his ſucceſſors kings or queens of this realm, and ſhall have after iſſuing the firſt commiſſion, whereby ſuch perſons ſhall be ſo appointed in the reign of any ſuch king and queen, taken and ſubſcribed the oaths and ſacrament, and declaration as aforeſaid, ſhall not be obliged during the reign of his preſent majeſty or during any future reign, in which ſuch requiſites have been performed, to take and ſubſcribe the ſame oaths for or by reaſon of ſuch perſon or perſons being again appointed to the ſaid office of juſtice of peace by any ſubſequent commiſſion or commiſſions, which ſhall be granted during any ſuch reign, and ſhall not incur any penalty or forfeiture for the not taking or ſubſcribing the ſaid oaths. Juſtices of peace upon qualifying purſuant to 2 Ann. c. 6. not obliged to take the oaths on a ſubſequent commiſſion.

II. *ſect.* 4. Nothing herein ſhall extend to any juſtice, who ſhall be left out of any renewed or other commiſſion for any county or place, and ſhall afterwards be inſerted in any future commiſſion of the peace for the ſame.

Time allowed to 1 Aug. 1774.

III. *Stat.* 11 *Geo.* 3. *cap.* 3. *ſect.* 1. All perſons, who have incurred any penalties and incapacities in 2 Anne, c. 6. by neglecting to qualify according thereto, indemnified, freed, and diſcharged of and from all incapacities, diſabilities, forfeitures, and penalties by ſuch neglect; and no acts by them, or authority from them, not yet avoided ſhall be queſtioned or avoided by reaſon of ſuch omiſſion, but are declared to be as good and effectual, as if they had taken and ſubſcribed the oaths, and received the ſacrament, and made and ſubſcribed the declaration, as by ſaid act, any thing in ſaid act to contrary notwithſtanding: provided they ſhall take ſaid oaths, and receive ſaid ſacrament, and make, repeat, and ſubſcribe ſaid declaration in ſuch manner, form, place and places, as by ſaid act on or before 1ſt Auguſt 1774.

Except offices already avoided.

IV. *ſect.* 2. This act ſhall not extend to reſtore or intitle any to office or employment already actually avoided by judgment of any court of record, or filled up by any other, but ſuch office or employment ſhall be and remain in the perſons now intitled by law to the ſame, as if this act never made.

Juſtices left out of commiſſion.

V. *ſect.* 3. Nothing herein extends to any juſtices, who ſhall be left out of any renewed or other commiſſion of the peace for any county or place, and ſhall afterwards be inſerted in any future commiſſion of the peace for the ſame county or place.

Neglect to qualify purſuant to 2 Ann. c. 6. indemnified.

VI. *Stat.* 11 & 12 *Geo.* 3. *cap.* 29. *ſect.* 1. All perſons, who have incurred any penalties and incapacities in the act *to prevent the further growth of popery*, mentioned, by neglecting to qualify according to ſaid act, are hereby indemnified, freed, and diſcharged of and from all incapacities, diſabilities, forfeitures, and penalties incurred by reaſon of ſuch omiſſion or neglect; and no act done by them, or any of them, and not yet avoided, ſhall be queſtioned or avoided by reaſon of ſuch neglect or omiſſion, but all ſuch acts are hereby declared and enacted to be, as good and effectual, as if ſuch perſons had taken and ſubſcribed the oaths, and received the ſacrament, and made and ſubſcribed the declaration; any thing in ſaid act to the contrary notwithſtanding.

On qualifying by 1 Auguſt 1774.

VII. *ſect.* 2. Provided ſuch perſons take and ſubſcribe ſaid oaths, and receive the ſacrament, and make, repeat, and ſubſcribe the declaration, in ſuch manner and form, and in ſuch place and places, as are directed and appointed by ſaid act, on or before the firſt of Auguſt 1774.

Officers preferred and qualifying in Great Britain not obliged on arrival here.

VIII. *ſect.* 3. No officer or officers preferred in Great Britain, who ſhall have qualified for ſuch commiſſion or commiſſions, according to, and within the time limited by the laws made in Great Britain, ſhall be obliged to qualify in this kingdom, for commiſſions granted to them in ſuch regiment or regiments, after their arrival in this kingdom, and being put upon this eſtabliſhment, any law, uſage, or cuſtom to the contrary notwithſtanding.

Not to reſtore to employment avoided or filled.

IX. *ſect.* 4. This act ſhall not extend to reſtore or intitle any perſon or perſons to any office or employment, already actually avoided by judgment of any of courts of record, or already filled up by any other, but ſuch office or employment ſhall be and remain in the perſon or perſons who is or are now intitled by law to the ſame, as if this act never made.

# Quarantine.

I. *Stat.* 21 *Geo.* 3. *cap.* 11. *ſect.* 1. All veſſels arriving, and all perſons, goods, and merchandiſes whatſoever, imported into any place in Ireland from any place, from whence chief governor with advice of privy council judge probable, the infection may be brought, obliged to make their quarantine in ſuch place, time, and manner, as from time to time directed by chief governor by order made by advice of privy council, and notified by proclamation; and until ſuch quarantine reſpectively performed and diſcharged, no ſuch perſon, goods, and merchandiſes, or any of them, ſhall come or be brought on ſhore, or go or be put on board any other veſſel in any place within his majeſty's dominions, unleſs in ſuch caſes and by ſuch licence as by ſuch order directed or permitted; and all ſuch veſſels and perſons, or goods coming or imported in or going and being put on board the ſame, and all veſſels, boats, and perſons receiving any goods or perſons out of the ſame, ſhall be ſubject to ſuch orders, rules, and directions concerning quarantine and preventing infection, as made by chief governor in council and notified by proclamation.

Performed as by order of C. governor and council notified by proclamation.

II. *ſect.* 2. When any country or place infected with the plague, and any orders ſo made concerning quarantine and prevention of infection and notified, as often as any veſſel ſhall attempt to enter, the principal officer of cuſtoms in ſuch port or place, or ſuch perſon as authoriſed to ſee quarantine performed, ſhall go off, or cauſe ſome other by him appointed for that purpoſe, to ſuch veſſel, and at a convenient diſtance demand of the maſter or perſon having charge, who ſhall on ſuch demand give true account of following particulars; name of the veſſel and commander; at what place or places the cargo and every part was taken on board; or the veſſel touched at in her voyage; whether ſuch places or any and which were infected with the plague; how long in her paſſage; how many were on board, when ſhe ſet ſail; whether any and what perſons on board during that voyage had been or ſhall be then infected; how many died, and of what diſtemper; what veſſels he or any of his ſhip's company with his privity went on board, or had any of their company come on board his in the voyage, and to what place they belonged; and alſo the true contents of his lading to beſt of his knowledge. If it appears on ſuch examination or otherwiſe, that any then on board ſhall at time of ſuch examination be actually infected, or that ſuch veſſel is obliged to perform quarantine, the officers of any ſhips of war, forts, or garriſons, and all other his majeſty's officers whom it may concern, upon notice thereof to them or any of them reſpectively, and any other perſons, whom they ſhall call to their aid, may and they are required to oblige ſuch veſſel to repair to place appointed for quarantine, and uſe all neceſſary means for that, be it by firing upon ſuch veſſel, or any other force or violence. If any ſuch veſſel come from any place viſited with the plague, or have any perſon on board actually infected, and the maſter or perſon having charge conceals the ſame, adjudged guilty of felony, and ſuffer death as in caſes of felony without benefit of clergy. If on demand as aforeſaid he ſhall not make true diſcovery in any other of ſaid particulars, he ſhall for every offence forfeit 200 l. one moiety to the king, the other to him who will ſue by action of debt, bill, plaint, or information in any court of record at Dublin.

Queſtions by cuſtom officer to maſters of ſhips.

Ships forced to perform.

Concealment of the plague by maſter, felony, death.

Of other particulars, 200 l.

III. *ſect.* 3. If any maſter, or other having charge of veſſel liable to perform quarantine, having notice thereof, ſhall himſelf quit, or knowingly ſuffer any ſeaman or paſſenger to quit, ſuch veſſel by going on ſhore or on board any other ſhip, boat, or veſſel, before ſuch quarantine fully performed, unleſs in ſuch caſes and proper licence as by orders aforeſaid, or ſhall not in convenient time after due notice by proper officer cauſe ſuch veſſel and the lading to be conveyed into places

Maſter quitting ſhip before quarantine, or ſuffering others, 500 l. or not conveying to place appointed;

appointed to perform, he ſhall for every ſuch offence forfeit 500l. one moiety to the king, the other to him who ſhall ſue; alſo if any perſon ſo quit ſuch veſſel, by going on ſhore or on board any other veſſel contrary to true meaning of this act, all perſons whatſoever may by force or violence compel him to return on board; and every ſuch perſon ſo quitting ſuch veſſel ſhall for every ſuch offence ſuffer ſix months impriſonment, and forfeit 200l. one moiety to the king, the other to him who will ſue, the ſame reſpective penalties recovered by action of debt, bill, plaint, or information in any court of record at Dublin.

perſons quitting compelled to return, and ſix months impriſonment and 200l.

Ships, houſes or lazarets provided.

IV. *ſect.* 4. When any place infected, chief governor with advice of privy council may order ſhips to be provided or houſes or lazarets for perſons obliged to perform during ſuch time as they continue infected, or till they have performed quarantine reſpectively, and ſheds, tents, or other places proper for depoſiting, opening, and airing goods and merchandiſes in any ſuch orders made and notified, to be provided or erected, to continue ſuch time as chief governor thinks proper, and directs in convenient places in any part of Ireland allowed and approved by two or more neighbouring juſtices for the county under hands and ſeals either in waſte grounds or commons, or, where ſuch not ſufficient, in the ſeveral grounds of any perſons, not being a houſe, park, garden, orchard, yard, or planted walk, or avenue to an houſe, paying ſuch rate, rent, or conſideration to the perſons according to their ſeveral intereſts as agreed on between them, their guardians or truſtees, and any two appointed for that purpoſe by chief governor; in caſe of any difference concerning ſuch conſideration the juſtices at next general quarter ſeſſions ſhall and may order the ſheriff to impannel a jury, and upon the verdict adjudge, determine, aſſeſs, and ſettle the ſame; ſuch determination final; and his majeſty ſhall hold and enjoy ſuch ground during all ſuch time and term, as chief governor ſhall judge neceſſary for ſaid purpoſes, paying ſuch conſideration as agreed on or aſſeſſed and adjudged.

Compelled to perform.

V. *ſect.* 5. Proper officers authoriſed to put in execution ſuch orders ſhall compel all perſons obliged to perform quarantine, and all goods and merchandiſes compriſed in ſuch orders notified to repair or be conveyed to ſome of ſaid ſhips or places according to ſuch orders.

Refuſal, or eſcape, felony, death.

VI. *ſect.* 6. If any obliged to perform wilfully refuſe or neglect to repair in convenient time after due notice by proper officer to place duly appointed, or having been placed there ſhall eſcape or attempt eſcape before quarantine fully performed, the watchmen and others appointed to ſee it duly performed may by any kind of violence, that the caſe requires, compel ſuch perſon to return; and every ſuch perſon ſo refuſing or neglecting, and alſo every perſon actually eſcaping, as aforeſaid, guilty of felony, and ſuffer death as a felon without benefit of clergy.

Orders inforced, aſſiſtance called.

VII. *ſect.* 7. All liable to perform, whether in ſhips, houſes, lazarets, or elſewhere, ſhall be ſubject during quarantine to ſuch orders, as they receive from the proper officers authoriſed; who are impowered and required to aſſiſt accordingly.

Perſons entering compelled to perform;

VIII. *ſect.* 8. If any, not infected nor liable to quarantine, preſumes to enter any place ſo appointed, whilſt any perſon infected with the plague or being under quarantine ſhall be therein, and ſhall return or attempt to return from thence, unleſs in ſuch caſes and ſuch licence as directed by ſuch orders made and notified, the watchmen or perſons appointed to guard or ſecure may by any kind of violence, the caſe requires, compel to repair to ſome place ſo appointed, there to perform quarantine; and if ſuch perſon actually eſcapes out of ſuch place, before fully performed, guilty of felony, and ſuffer death as a felon without benefit of clergy.

eſcaping, felony, death.

Neglect of duty forfeiture office and 100l.

IX. *ſect.* 9. If officers of cuſtoms, or any officers or perſons whatſoever, to whom it appertains to execute or aſſiſt in executing any ſuch order, guilty of any wilful

wilful breach or neglect of duty in that behalf, every ſuch officer and perſon ſhall forfeit his office or employment in the cuſtoms or other office or employment, and be incapable to hold and enjoy the ſame or to take a new grant thereof, and alſo forfeit one hundred pounds, to the king and to him who ſhall ſue by action of debt, bill, plaint, information in court of record in Dublin; and if any ſuch officer or perſon embezzles or knowingly and willingly damages any goods performing quarantine under his direction, treble damages and full coſts of ſuit.

embezzlement, &c. treble damages and full coſts.

X. *ſect.* 10. When any foreign country or place infected, all ſuch goods and merchandizes, as particularly ſpecified in any order, concerning quarantine and prevention of infection, and ſo notified, which ſhall be imported into any part of Ireland from any foreign country or place, ſhall be liable to ſuch orders.

Goods imported liable as in ſuch orders.

XI. *ſect.* 11. After quarantine duly performed, and proof by oaths of the maſter or perſon having charge of, and of two of the perſons belonging to ſuch veſſel, or oaths by two or more credible witneſſes, before cuſtomer, comptroller, or collector of the port where quarantine performed, or the next port thereto, or any of their deputies or any juſtice living near ſuch port, that ſuch veſſel and perſons reſpectively have duly performed as aforeſaid and are free from infection, ſuch cuſtomer, comptroller, or collector, or deputies, together with ſaid juſtice reſpectively are required to give certificate thereof; and thereupon ſuch veſſel and perſons ſhall be liable to no further reſtraint or detention on ſame account.

On oath of two, a certificate of health.

XII. *ſect.* 12. The officer, before whom oath made, and by whom certificate given, ſhall demand or take no fee or reward whatſoever.

No fee.

XIII *ſect.* 13. All goods and merchandiſes, imported in any veſſel coming from place infected, or on board which any perſon found infected, ſhall after quarantine be opened and aired, as directed by chief governor by ſuch order notified; and after ſuch order duly complied with and proof thereof by oaths of two credible witneſſes before the cuſtomer, comptroller, or collector of the port, next to ſuch place where ſuch goods opened and aired, or their deputies, and any juſtice living near, upon certificate and return of ſuch proof to the commiſſioners of revenue, ſuch goods forthwith diſcharged from any reſtraint or detention on ſame account by order of ſaid commiſſioners or any two; for which oath, certificate, and order no fee or reward whatſoever demanded or taken.

Goods opened and aired,

proof by oath,

certificate,

commiſſioners order.

XIV. *ſect.* 14. If any officer or other perſon demand or take fee or reward for any ſuch oath, order, or certificate he ſhall forfeit one hundred pounds to his majeſty and him who will ſue by action of debt, bill, plaint, or information in court of record at Dublin, in which caſes coſts allowed to either party as in other caſes.

No fee, penalty 100l. coſts.

XV. *ſect.* 15. If officer or perſon appointed to ſee quarantine performed as a watchman ſhall deſert from duty when employed on ſaid buſineſs, or knowingly and willingly ſuffer any perſon, ſhip, goods, or merchandiſes to depart or be conveyed out of the place appointed for performance, unleſs in caſes as by licence as directed by ſame order notified by proclamation as aforeſaid, or if any perſon directed to give certificate of a ſhip having duly performed her quarantine or airing knowingly gives falſe certificate, guilty of felony and ſuffer death as in caſes of felony without benefit of clergy.

Deſerting duty,

permitting to depart, &c.

falſe certificate, felony death.

XVI. *ſect.* 16. If any knowingly or wilfully conceal from the officers of quarantine, or clandeſtinely convey any letters, goods, wares, or merchandizes from any ſhip under or liable to quarantine or any place where goods performing quarantine, they ſhall ſuffer death as in caſes of felony without benefit of clergy.

So concealment or clandeſtine conveyance.

XVII. *ſect.* 17. When any part of Ireland, Great Britain, Guernſey, Jerſey, Alderney, Sark, and Man, or any Part of France, Spain, Portugal, or Low Countries infected with the plague, chief governor by proclamation may prohibit all ſmall

Boats under 20 tuns prohibited by proclamation from ſailing till ſecurity given,

300l. penalty, small boats and veſſels under twenty tons from ſailing or paſſing out of any port or place of Ireland, until ſecurity firſt given by the maſter to ſatisfaction of principal officer of cuſtoms or chief magiſtrate of the place by bond to the king, his heirs or ſucceſſors, with ſufficient ſureties in penalty of three hundred pounds, with condition that if ſuch boat ſhall not go to or touch at any country, port or place, mentioned for that purpoſe in ſuch proclamation, and if the maſter or other having charge, and all mariners and paſſengers, ſhall during time aforeſaid not go on board any other ſhip or veſſel at ſea, and if ſuch maſter or other perſon ſhall not permit any perſons to come on board at ſea from any other ſhip or veſſel, and ſhall not during time aforeſaid receive any goods or merchandiſes whatſoever out of any other, bond, then ſuch bond ſhall be void, or to ſuch effect; for making which no fee or reward whatſoever taken. If any boat or veſſel, for which ſecurity required by ſuch proclamation, ſhall ſet ſail or paſs out of any port or place before ſuch ſecurity given, every ſuch boat or veſſel, ſo ſailing contrary to true intent and meaning of this act, or forfeited, with her tackle, apparel, and furniture forfeited to the king, and may be ſued for, and recovered in court of exchequer, and the maſter of and every mariner ſailing in ſuch boat or veſſel, being lawfully convicted upon appearance or default upon oath of one or more credible witneſſes by one or more juſtices where ſuch offender found, and aol. by maſter and mariners, ſhall forfeit twenty pounds; one moiety to the informer; the other to the poor of the pariſh where ſuch offender found; the ſame levied by diſtreſs and ſale of goods by warrant of ſuch juſtice; and for want of ſufficient diſtreſs committed to priſon without bail or mainpriſe three months.

Proclamation read in churches. XVIII. *ſect.* 18. When chief governors make any order concerning quarantine and prevention of infection, and notify by proclamation, as aforeſaid, ſuch proclamation ſhall be publickly read next Sunday after receipt and the firſt Sunday every month after, while ſuch order in force, immediately after prayers in all pariſh churches and other places ſet apart for divine worſhip within counties and places ſpecified in ſuch proclamation.

General iſſue, XIX. *ſect.* 19. Defendants in action or ſuit for any thing done in purſuance of this act may plead general iſſue, and give this act and ſpecial matter in evidence, and that it was done by authority of ſaid act; and if it appears ſo, and jury find for defendants, and if plaintiff be nonſuited or diſcontinue after defendant appeared, or if judgment on verdict or demurrer againſt plaintiff, defendants ſhall recover treble coſts. treble coſts, and have like remedy as in other caſes by law.

No corruption of blood or forfeiture. XX. *ſect.* 20. No attainder of felony by virtue of this act works any corruption of blood or forfeiture of any goods, chattles, lands, tenements, or hereditaments.

Seven years. XXI. *ſect.* 21. This act and the ſeveral clauſes and proviſoes therein ſhall commence 1ſt of May 1771, and continue ſeven years, and from thence to end of then next ſeſſion and no longer.

## Quit-Rents, &c.

3 G. 3. c. 22. continued 10 years, &c. I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 6. An act the third of his preſent majeſty, *for diſcharging all arrears of quit, crown and compoſition rents*, ſhall be revived and continue in force, ten years, and from thence to the end of then next ſeſſion.

I. *Stat.* 7 *Geo.* 3. *cap.* 27. *ſect.* 4. The penalties impoſed by 14 & 15 C. 2. on brewers, diſtillers, vintners, innkeepers, victuallers, and ale-houſe-keepers for denying entrance and liberty of gauging, or concealing any beer, ale, aquavitæ, or ſtrong waters from the gauger or ſearcher appointed, ſhall extend to every common brewer, diſtiller, vintner, innkeeper, victualler, and ale-houſe-keeper, whoſe wife in abſence of the huſband, or whoſe principal ſervant or other perſon uſually intruſted with cuſtody of his ſtock, in abſence of huſband and wife, refuſe or deny entrance, in ſame manner as if ſuch refuſal had been by him in perſon.

Penalties in 14 & 15 C. 2. c. 8. ſec. 25. extended to wife's or ſervant's refuſing entrance to gauger.

II. *ſect.* 11. The acts for better regulating the revenue, paſſed in the 33 G. 2. & 2 G. 3. & 3 G. 3. & 6 G. 3. and all clauſes therein (except ſuch parts as are altered, repealed, or amended by this act) ſhall continue and be in force two years from 24th of June 1768, and to the end of the then next ſeſſion, and no longer.

33 G. 2. c. 10. 1 G. 3. c. 7. 3 G. 3. c. 21. 5 G. 3. c. 16. continued 2 years.

III. *ſect.* 12. All fines, penalties, and forfeitures by this act or the ſaid four acts (except ſuch as by this or any of ſaid four acts otherwiſe provided for) recovered, levied and applied in ſuch manner and form, ways and means, and with ſuch powers and authorities as in the 14 & 15 C. 2. as fully and effectually to all intents, conſtructions, and purpoſes as if particularly expreſſed and mentioned in body of this act, with like remedy of appeal to parties who think themſelves aggrieved as by ſaid act of exciſe is provided.

Penalties as by 14 & 15. C. 2. c. 8.

like appeal.

IV. *ſect.* 13. This act and the ſeveral further proviſions hereby for ſecurity and improvement of the revenue, ſhall take place from 24th of June 1768 and not ſooner, and continue and be in force until 24th of June 1770, and from the determination of ſaid two years to the end of then next ſeſſion, and no longer.

Continued 2 years, &c.

V. *Stat.* 11 *Geo.* 3. *cap.* 13. An act 33 G. 2. c. 10. 1 G. 3. c. 7. 3 G. 3. c. 21. 5 G. 3. c. 16. 7 G. 3. c. 27. continued until 24th of June 1772 and to end of then next ſeſſion, and no longer.

Continuance of former acts to 24 June 1772, &c.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 7. *ſect.* 13. After 24th of June 1772 if any perſon or perſons on board any ſhip, boat or veſſel, being within the limits of any port or harbour, or three leagues of any of the ſhores, of this kingdom, ſhall with arms forcibly reſiſt or prevent any revenue-officer from boarding or entering to ſearch for exciſeable commodities, that may be found therein, or elſe permitting them ſhall after ſuch entry make reſiſtance, and by force of arms prevent or hinder ſuch officers from ſeiſing and carrying away any ſuch goods, which by law now in being they have power to ſeiſe, in either of ſaid caſes ſuch veſſel with all her guns, tackle, furniture, ammunition, and apparel, and all prohibited goods found, forfeited, and may be ſeiſed and proſecuted as after directed.

Reſiſting officers from boarding or ſeiſing, forfeiture of the veſſel, &c.

VI. *ſect.* 14. If ſuch forcible reſiſtance contrary to intentions and endeavours of the crew or a majority of them, not extended to ſuch caſe.

Unleſs contrary to the crew.

VII. *ſect* 15. The clauſes in 14 & 15 C. 2. (c. 8. ſec. 15.) ſhall extend to all horſes and other cattle whatſoever, that ſhall carry by way of burthen or otherwiſe any goods or merchandiſes exciſeable, that have not been duly entered, and duties paid according to law.

Horſes, carrying goods exciſeable.

VIII. *ſect.* 16. No writ of replevin, deliverance, or recaption ſhall without leave from the exchequer be executed for any goods or chattles ſeiſed by any exciſe officer for being or intended to be run without payment of duties, or for goods and commodities detained to anſwer payment of duties due and chargeable thereupon, unleſs ſuch goods and chattles firſt acquitted by due courſe of law.

No replevin, &c. executed without leave firſt from exchequer, &c.

IX. *ſect.*

Former acts continued.

IX. *ſect.* 17. An act 33 G. 2. c. 10. & 1 G. 3. c. 7. & 3 G. 3. c. 21. & 5 G. 3. c. 16. & 7 G. 3. c. 27. and all clauſes therein reſpectively (except as altered, repealed, or amended by this act or by any or either of ſaid acts) ſhall continue two years from 24th of June 1772, and to the end of then next ſeſſion, and no longer.

As to commiſſioners, perpetual.

X. *ſect.* 18. The ſeveral clauſes in 1 G. 3. c. 7. relative to appointment of commiſſioners of exciſe and cuſtoms ſhall remain perpetual as in ſaid act.

All penalties levied and applied as by 14 & 15 C. 2. c. 8.

XI. *ſect.* 19. All fines, penalties, and forfeitures, in ſaid five acts laſt mentioned (except ſuch as by this or any of ſaid acts otherwiſe provided for) recovered, levied, and applied, as directed by an act 14 & 15 C. 2. *for ſettling the exciſe or new impoſt* as fully as if re-enacted, with like remedy of appeal as by ſaid act of exciſe provided.

Continued two years, &c.

XII. *ſect.* 20. This act and the ſeveral further proviſions ſhall continue two years from 24th of June 1772, and to the end of then next ſeſſion, and no longer.

## Riots and unlawful Proceedings.

5 G. 3. c. 8. continued 2 years, &c.

I. *Stat.* 7 *Geo.* 3. c. 20. *ſect.* 5. An act 6 G. 3. *to prevent tumultuous riſings and for other purpoſes* continued from henceforth two years and to the end of the then next ſeſſion.

To 24 June 1772, &c.

II. *Stat.* 11 *Geo.* 3. *cap.* 1. *ſect.* 8. Said act continued until 24th of June 1772, and to end of then next ſeſſion.

In certain northern counties, deſtroying houſes, threatening letters, forcible taking arms, ſhooting with intent to kill, wound, or maim,

III. *Stat.* 11 & 12 *G.* 3. *cap.* 5. *ſect.* 1. If any perſon or perſons in counties of Antrim, Down, Armagh, city or county of Londonderry, and county of Tyrone, or any of them, after 2d of April 1772, maliciouſly and wilfully pull down or deſtroy, or begin to pull down or deſtroy, houſes or out-houſes, mills, ware-houſes, or other houſes for trade or manufacture of any perſon in any of ſaid counties, or knowingly ſend, deliver, affix in any publick place, or otherwiſe publiſh, or cauſe to be ſent, delivered, affixed, or publiſhed, any letter or paper ſigned with a real or fictitious name, or without any name ſubſcribed, for the purpoſe of extorting money, arms, or other valuable thing, or threatening danger to any perſon, or his or her property, to deter from letting or taking any leaſe of land, or tithes, or other property whatſoever, or from collecting or managing tithes, or who ſhall forcibly or by threats unlawfully take or obtain arms from any of his majeſty's ſubjects, or wilfully and maliciouſly ſhoot at any perſon with intent to wound, kill or maim, altho' ſuch perſon may not be killed, maimed, or wounded, being lawfully convicted of ſaid offences, ſhall be deemed and conſtrued guilty of felony without clergy.

Felony without clergy.

Obſtructing collecting publick money, 7 years impriſonment, and whipt.

IV. *ſect.* 2. If any to number of five or more meet or aſſemble to prevent or obſtruct any collector of publick money, conſtable, or other perſon lawfully appointed to collect or receive it, and do or ſhall by force prevent or obſtruct from collecting, or if any perſon reſcue any being lawfully in cuſtody of any conſtable other for any offences againſt 29 G. 2. (c. 12.) or 5 G. 3. (c. 8.) or againſt this act, every perſon lawfully convicted thereof ſhall ſuffer impriſonment in the common goal ſuch time, not exceeding ſeven years, as the judge before whom tried directs, and alſo publickly whipped in ſuch manner and places within the county where convicted, and as often, as ſaid judge appoints.

Certificate of indictment.

V. *ſect.* 3. For more effectual bringing to juſtice all who ſince firſt of January laſt have offended againſt ſaid 29 G. 2. or 5 G. 3. or committed high treaſon or murder

murder, or ſhall hereafter offend againſt this act, if any perſon or perſons in ſaid counties or any of them, and not then in actual cuſtody, ſhall be indicted for any offences aforeſaid, after ſuch indictment the clerk of the crown ſhall forthwith certify under hand and ſeal and return certificate of ſuch indictment to the principal or under ſecretary of chief governor, who is required to lay the ſame before the chief governor and privy council, whereupon it ſhall be lawful for them to make an order requiring and commanding ſuch offenders to ſurrender within fifty days to any juſtice of B. R. or any juſtice of the peace, that they may be forthcoming to anſwer the offences, wherewith they ſo ſtand charged, according to due courſe of law; which order ſhall in ten days from the making be publiſhed in Dublin Gazette, and proclaimed by ſheriff of the county, wherein the offence by ſaid indictment ſuppoſed committed, between the hours of ten and two in the market places on reſpective market days of ſix market towns in the county, and a true copy of ſuch order affixed on ſome publick place in each town. Offenders neglecting or refuſing to ſurrender ſhall from the day appointed be adjudged and deemed convicted of the offence charged in ſuch indictment, and ſuffer like pains and puniſhments as if convicted by verdict; and it ſhall be lawful for the court of B. R. or juſtices of oyer and terminer or goal delivery of any ſaid counties, where offence charged by ſuch indictment, upon producing ſuch order under ſeal of ſaid council, and its being proved duly proclaimed, and copy affixed, as aforeſaid, to pronounce judgment, and award that ſuch offenders ſuffer like pains and puniſhments, as if duly convicted by verdict before them.

Order in council for ſurrender in 50 days,

publiſhed and proclaimed,

on not ſurrendering deemed convict.

VI. *ſect.* 4. All, who ſhall, after the time ſo appointed for ſurrender expired, conceal and abet, entertain, lodge, or ſuccour ſuch perſon, knowing him ſo indicted and required to ſurrender by ſuch order, being lawfully convicted thereof ſhall ſuffer impriſonment not exceeding four years in diſcretion of the judge.

To conceal, lodge, &c. 4 years impriſonment.

VII. *ſect.* 5. Nothing herein conſtrued to prevent any judge, juſtice, magiſtrate, officer, or miniſter of juſtice from apprehending and ſecuring ſuch offender, againſt whom ſuch indictment found, or information given, and order for ſurrender made, by ordinary courſe of law; and if ſuch offender taken and ſecured in order to be brought to juſtice, before the time expired, within which required to ſurrender, no further proceedings ſhall be had on ſuch order in council againſt him ſo taken and ſecured, but ſhall be brought to trial by due courſe of law.

If ſecured before the time expires, brought to trial.

VIII. *ſec.* 6. For more impartial trial of all ſo offending, if any indictments for offences committed ſince 1ſt of January laſt, or which ſhall be committed, againſt ſaid acts 29 G. 2. & 5 G. 3. or either, or for high treaſon or murder ſince 1ſt of January laſt to be hereafter committed, the offenders to be mentioned in ſuch indictments may be proceeded againſt and tried on ſuch indictments for ſuch offences before ſuch commiſſioners of oyer and terminer and general goal delivery, as ſhall be aſſigned by the king's commiſſion under the great ſeal of Ireland by the good and lawful men of the body of the county of Dublin or county of the city, as reſpectively ſhall be appointed in ſuch commiſſion, and at ſuch place within ſaid counties or either as ſo appointed, and ſuch proceeding ſhall be valid and effectual in the law, as if the offence done within the county where tried, ſuch indictments in ſuch caſes certified unto ſuch commiſſioners upon writ of *certiorari* to be iſſued for that purpoſe, and in all ſuch caſes no challenge to array or polls ſhall lye or be allowed, by reaſon that the jurors come not from the proper county or place where offence committed, or that the trial is out of the county or place where committed; but nevertheleſs upon trials of ſuch offences the challenge to any juror for want of freehold in the county, where tried by virtue of this act, ſhall be allowed.

Indictments in ſaid counties, before commiſſioners in Dublin,

no challenge, ſave for want of freehold in county where tried.

No corruption of blood, or forfeiture.

IX. *ſect.* 7. No attainder of felony by this act ſhall work any corruption of blood, loſs of dower, or forfeiture of lands, tenements, goods, or chattles.

Preſentment for expences.

X. *ſect.* 8. Expence of tranſmiſſion of priſoners to Dublin, witneſſes, and other neceſſary expences of ſuch trials, raiſed by preſentment of grand jury at ſucceeding aſſizes off the county at large or barony, or pariſh, where offence committed at their diſcretion.

And reimburſement on acquittance not above 20l.

XI. *ſect.* 9. If any ſo tried in Dublin acquitted, grand jury of the county, wherein ſuch offence charged, may, if they think fit, at ſucceeding aſſizes preſent a reimburſement of ſuch ſum, as the perſon ſo acquitted ſhall by affidavit make appear has been neceſſarily incurred by ſuch removal of trial, provided not above twenty pounds.

and for damages ſuſtained by unlawful proceedings.

XII. *ſect.* 10. Grand juries of counties aforeſaid may, if they think fit, at any aſſiſes hereafter preſent the whole or ſuch part as they think reaſonable of the damages, which ſhall appear to them to have been ſuſtained by any perſons by means of the unlawful proceedings before mentioned from 2d of April 1772, to be levied off the county at large, or barony, or pariſh, within which the offences, whereby ſuch damage occaſioned, have been committed, as they ſhall order and appoint by ſaid preſentment, and payable by ſuch different ſums or gales, and at ſuch times as they appoint, applotted, levied, and collected by ſame perſons and manner, in which money preſented for making and repairing publick roads are now applotted, levied, and collected.

Or in cattle, burning houſes or effects.

XIII. *ſect.* 11. If hereafter in any of ſaid counties any perſon ſuſtains damage in his property by having cattle maliciouſly and wilfully maimed or killed, or houſes, outhouſes, mills, ware-houſes, or houſes for uſes of trade or manufacture, or hay, turf, corn, ſtraw, wood, or other effects wilfully or maliciouſly burned, or ſet fire to, or otherwiſe deſtroyed or injured, grand jury of the county, where offences committed, may, if they think fit, preſent the whole or ſuch part of ſaid damage, as they may judge proper, to be levied off the county, or barony or baronies, pariſh or pariſhes in ſuch county, within or near to which ſuch offences committed, payable by ſuch different ſums or gales, and times, as they appoint in ſuch preſentments, all ſuch ſums ſhall be applotted, levied, and collected by ſame perſons and manner, as money preſented for publick roads by the laws now in being.

Notice in 24 hours to next inhabitants,

XIV. *ſect.* 12. No perſon intitled to recover ſuch damage, unleſs it appears to grand jury and the court, who are to confirm ſuch preſentment, that the claimant by himſelf or ſervant, or perſon appointed by him, within twenty-four hours after the miſchief ſo done to his property gave notice to ſome of inhabitants of the town or village next to the place where offence committed, and within four days after

and information on oath in 4 days to a magiſtrate,

and bound to proſecute next aſſiſes.

give information by oath of himſelf or ſome of his ſervants, or other perſons beſt acquainted therewith, before ſome neighbouring magiſtrate concerning ſaid offence, and become bound himſelf, or procure ſuch other perſons to be, before ſaid magiſtrate for proſecuting all or any of the perſons, who ſhall appear any way concerned in ſaid offences at next aſſiſes for ſaid county.

Traverſe if above 20l.

XV. *ſect.* 13. Perſons aggrieved by any ſuch preſentment, if the ſum to be raiſed exceed twenty pounds, may at ſaid aſſiſes traverſe, which ſhall be tried at the ſame or next aſſiſes, as the judge, who ſhall allow the ſame, may think fit; and

If bound for proſecution, concluſive, and 5l. coſts.

if on the trial the iſſue found for traverſers, ſuch preſentment diſcharged; if againſt traverſers, they ſhall pay the perſons, on whoſe behalf preſentment made, five pounds for coſts, and ſaid preſentment thereupon concluſive to all parties.

Notice forthwith to conſtable.

XVI. *ſect.* 14. Every perſon intending to recover ſatisfaction for ſuch damage ſhall forthwith give notice in writing to high conſtable of the barony or petty conſtable

ſtable of the pariſh, in which damage ſuſtained, of ſuch his intentions, that ſuch conſtable may give notice thereof to inhabitants deſigned to be charged, that they may be provided and have opportunity to bring evidence for themſelves, and oppoſe the making ſuch preſentment, or traverſe when made.

XVII. *ſect.* 15. No ſuch preſentment removed by *certiorari*, or the proſecution otherwiſe delayed than by ſuch traverſe, and that for ſuch time only as neceſſary for the trial; nor ſhall any ſuch preſentment be quaſhed for any informality; Not removed by *certiorari*, nor quaſhed for informality.

XVIII. *ſect.* 16. This conſidered as a publick act, and judicially taken notice of as ſuch, and ſhall continue in force from 2d April 1772 two years, and until the end of then next ſeſſion, and no longer. A publick act, 2 years, &c.

XIX. *ſect.* 17. The ſheriff of the county, from whence any of ſaid offenders removed to take trial in county or county of city of Dublin, ſhall advance and pay every ſuch offender before removal from ſuch county five pounds to enable him to defray charges and expences of attendance of his witneſſes; which ſhall be preſented by grand jury of ſuch county at next aſſiſes, and levied off the county at large, or barony, or pariſh, within which the offence, for which ſuch perſons indicted, ſhall be committed, at their diſcretion, and repaid to ſuch ſheriff. Sheriff before removal to pay offender 5l. repaid by preſentment.

XX. *ſect.* 18. This act and every clauſe read publickly in open court on the ſecond day of every aſſizes and firſt day of every quarter ſeſſions in each and every of ſaid counties. Read at aſſiſes and ſeſſions in ſaid counties.

XXI. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 8. An act the fifth of his preſent majeſty, *to prevent tumultuous riſings*, ſhall be continued and remain in force ſeven years, and from thence to the end of the then next ſeſſion. 5 G. 3. c. 8. continued 7 years, &c.

## Roſin.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 7. *ſect.* 11. Imported from the plantations in ſhips the property of ſubjects navigated according to law, no duty whatſoever during this act. From plantations duty free.

II. *ſect.* 20. Continued two years, &c. from 24 June 1772.

## Schools.

I. *Stat.* 11 & 12 *Geo.* 3. *cap.* 3. *ſect.* 17. For further encouragement of Engliſh proteſtant ſchools every archbiſhop, biſhop, dean, archdeacon dignitary, prebendary, rector, vicar, and eccleſiaſtical perſon whatſoever, with conſent of the archbiſhop or biſhop under hand and ſeal, and every perſon ſeiſed of an eſtate for life in poſſeſſion of any lands with immediate remainder to his iſſue in tail, may by deed indented demiſe for any term or number of years or lives with covenants of perpetual renewal any quantity of land to them belonging, not exceeding thirty acres plantation meaſure to the incorporated ſociety and their ſucceſſors, reſerving a rent not leſs than the improved yearly value at the time of demiſe payable to thoſe intitled to the freehold and inheritance. All grants ſo made ſhall be good and effectual againſt ſucceſſors of ſuch archbiſhop and other eccleſiaſtical perſons, and all perſons claiming or to claim any eſtate, right, title, or intereſt in ſuch land by or under any limitation, remainder, or reverſion expectant on ſuch eſtate for life. Eccleſiaſticks and tenants for life may demiſe in perpetuity 30 acres reſerving improved value, good againſt ſucceſſors and remainders or reverſion.

II. *ſect.* 18. In caſe the lands and premiſſes ſo demiſed not applied and made uſe of for benefit and ſupport of the charter-ſchools or nurſeries, or ſome of them Void, if not applied to the ſchools.

that are or ſhall be erected and eſtabliſhed by ſaid ſociety, ſuch demiſe abſolutely null and void to all intents and purpoſes.

12 G. 1. c. 9. ſec. 6.

III. *Stat.* 11 & 12 *Geo.* 3. *cap.* 17. *ſect.* 12. And whereas by the twelfth of George the firſt, it is enacted, that it ſhould be lawful for the archbiſhop of Armagh, and his ſucceſſors, with conſent of the reſpective ſchoolmaſters, teſtified by their being parties, and ſigning leaſes, to demiſe lands, granted by king Charles I. for any term not exceeding twenty-one years, from the making at moſt improved rent in truſt for the maſters of the reſpective ſchools: and whereas there are not fit and convenient houſes for the reſidence of ſuch maſters, and accommodation of ſcholars, owing in a great meaſure to the want of power in ſuch archbiſhop, with like conſent to renew the leaſes; it ſhall be lawful for Richard, archbiſhop of Armagh, and his ſucceſſors, in truſt as aforeſaid, from time to time, and at all times, with conſent of the reſpective ſchoolmaſters, teſtified by their being parties, and ſigning ſuch leaſe or leaſes, to demiſe, all or any part of the ſaid lands for any term not exceeding twenty-one years, and for no longer term, from the making thereof; upon which leaſe and leaſes ſhall be reſerved, and continued, due and payable unto ſaid archbiſhop his ſucceſſors, during ſaid term, ſo much yearly rent or profits, at the peril of the leſſees who ſhall take the ſame, as the three fourths of the true value of the ſaid lands at the time of making ſuch leaſe ſhall amount unto, as the ſame ſhall or may hereafter appear upon a legal trial between the ſucceſſors of ſuch leſſor or leſſors, if they ſhall queſtion the ſame, and the ſaid leſſees, or their aſſignees, by verdict of twelve indifferent perſons at the common law; which verdict ſhall be peremptory to both parties, and their reſpective ſucceſſors and aſſigns, during ſaid term; in which leaſes ſhall be contained no power, liberty, or privilege for ſuch leſſees or their aſſignees to commit, or to be diſpuniſhable of waſte.

Archbiſhop of Armagh with conſent of ſchool maſters may demiſe 21 years reſerving 3 4ths of true value,

at peril of leſſees,

as on a trial at law,

verdict peremptory,

no power to waſte.

Fines laid out on ſchoolhouſes.

IV. *ſect.* 13. Whatſoever fine or ſum of money ſhall be given for or on account of every or any leaſe, or renewal of a leaſe, of any of ſaid lands, ſhall be paid to ſaid archbiſhop and his ſucceſſors, to be laid out by him and them with the conſent of the reſpective maſters of ſuch ſchools in building and repairing houſes for reſidence of ſuch maſters, and reception and accommodation of ſcholars, or otherwiſe for uſe and benefit of ſuch ſchools.

## Sheriffs.

3 G. 3. c. 17. ſec. 1. continued 8 years.

I. *Stat.* 7 *Geo.* 3. *cap.* 20. *ſect.* 1. A clauſe in 1 G. 3. c. 17. ſec. 1. whereby ſo much of 3 G. 2. c. 9. as relates to bills of diſcovery and obliges all perſons to anſwer without pleading or demurring, continued eight years from firſt of May 1769, and to the end of the then next ſeſſion.

To 24 June 1772, &c.

II. *Stat.* 11 *Geo.* 3. *cap.* 2. *ſect.* 1 Said clauſe in 3 G. 2. c. 9. revived and continued until 24th June 1772, and to end of then next ſeſſion.

## Soldiers.

6 Anne c. 14, 3. 3 G. 2. c. 10. amended, halfpenny per 100 every mile advanced for wheel carriages, repaid by vice-treaſurer.

I. *Stat.* 7 *G.* 3. *cap.* 14. *ſect.* 1. No perſons forced to take any loading or proceed on march with carriages, until the officer or perſon requiring pays down in hand to the owners or ſervants one halfpenny every hundred weight for every mile; which ſhall be repaid by the vicetreaſurer without fee on performing the requiſites preſcribed by 6 Anne c. 14. & 3 G. 2. c. 10.

II. *ſect.*

II. *ſect.* 2. Owners of ſuch carriages not compelled to take any loading till duly weighed at their expence, if they think fit, and the ſame can be done in a reaſonable time without let or hinderance to his majeſty's ſervice. Loading may be weighed.

III. *ſect.* 3. All clauſes, powers, and authorities in ſaid acts, ſave as hereby repealed and altered, ſhall remain in force, and be executed and obſerved according to the true intent and meaning. Said acts in force ſave as altered.

IV. *Stat.* 7 *Geo* 3. *cap.* 20. *ſect.* 6. An act 25 G. 2. for more effectual bringing to juſtice ſuch as inliſt his majeſty's ſubjects in foreign ſervice without licence further continued ſeven years from firſt of June 1768, and to end of then next ſeſſion after expiration of ſaid ſeven years. 25 G. 2. c. 12. continued 7 years.

## Spirits, Strong-Waters.

I. *Stat.* 7 *Geo.* 3. *cap.* 27. *ſect.* 9. There ſhall be payable to his majeſty, his heirs and ſucceſſors for every licence for ſelling *aquavitæ* or any kind of ſtrong water or ſpirits whatſoever by retail in city of Dublin and within four miles of the Tholſel, as well within franchiſe and liberties as without, ſuch ſum as ſhall be agreed purſuant to directions of 17 & 18 C. 2; ſo as none pay leſs than ſix pounds yearly, and none compelled to more than ten pounds yearly; and in any other city or town corporate and the liberties ſuch ſum as ſo agreed, ſo as not leſs than four pounds yearly and not more than five; and alſo in any other part of this kingdom, ſo as not leſs than three pounds yearly, and not more than five, any law to contrary notwithſtanding. Licence to retail as agreed by 17 & 18 C. 2. c. 19. ſec. 2.

not under 6l. nor above 10l. in Dublin,

other cities and towns 4l. & 5l. other parts 3l. & 5l.

II. *Stat.* 11 & 12 *Geo.* 3. *cap.* 6. *ſect.* 1. Whereas in the book of rates annexed to an act 14 & 15 C. 2. *for ſettling the ſubſidy of poundage* ſpirits perfectly made are rated at twenty ſhillings the gallon, whereby a duty of twelve pence is impoſed on every gallon imported to be ſold within this realm, and a rule annexed that commodities of the growth or manufacture of the Engliſh plantations, imported into England or Wales and afterwards exported to Ireland, do pay but half part of all ſuch cuſtom and ſubſidies, and to avoid a moiety of the cuſtom or duty great quantities of rum and ſpirits from the plantations have been landed in Great Britain and exported to this kingdom not only to the great delay and hazard thereof, but to a great loſs to the hereditary revenue, which has been deprived of one half of the duty, altho' ſuch rum and ſpirits could not have been in contemplation of the makers of ſaid act: for remedy whereof, and that all rum and ſpirits imported may be ſubject to the full and whole cuſtom and duty according to the book of rates, the ſaid proviſo or rule, and all and every proviſo, rule, order, direction, or clauſe, annexed to, or in, ſaid act, whereby rum and ſpirits as a commodity of the growth or manufacture of any of his majeſty's plantations may or might be exempted from one half of ſaid cuſtom or duty, ſhall as to rum and ſpirits hereafter imported as aforeſaid be wholy repealed and of none effect; and the ſame is and are hereby repealed, made void, and of none effect as to all ſuch rum and ſpirits imported, as though ſuch proviſo, rule, order, direction, or clauſe had never been made. Repeal of 5s. rule of 14 & 15 C. 2. & 15 G. 2. c. 9. as to rum and ſpirits from the plantations.

III. *Stat.* 11 & 12 *Geo.* 3. *cap.* 7. *ſect.* 1. No debenture iſſued, nor drawback, allowance, or repayment made, for any ſpirits or ſtrong waters whatſoever, when exported or entered outwards, unleſs ſhipped in caſks or veſſels containing fifty gallons gauge or upwards, and in ſome ſhip of one hundred tons burthen or upwards; if Exportation in 50 gallon caſks, and ſhips of 100 tons,

other-

or forfeited, and drawback repaid, and 2ol. each cask.

otherwiſe, forfeited, and drawback or allowance repaid to collector of the port to be accounted for to his majeſty; and all perſons, who ſhipped or cauſed to be ſhipped in any veſſel under one hundred tons or in leſs quantities forfeit twenty pounds each caſk.

IV. *ſect.* 20. Continued two years, &c. from 24th June 1772.

## Taylors and Shipwrights.

Permitting clubs of journeymen taylors on conviction before 2 juſtices by 2 witneſſes, 20l. to informer and blue-coat hoſpital,

I. *Stat.* 11 & 12 *Geo.* 3. *c.* 33. *ſ.* 1. Whereas great numbers of journeymen taylors in and about the city of Dublin and liberties, and in the county who have ſerved apprenticeſhips, or have been brought up in the art or myſtery of a taylor, have lately departed from their ſervices without juſt cauſe, and entered into combinations to advance their wages to unreaſonable prices, and leſſen their uſual hours of work, and theſe diſorders principally ariſe from clubs and ſocieties, where aſſociations are entered into, oaths adminiſtered, and other illegal acts committed, every perſon or perſons who ſhall knowingly permit ſuch clubs or ſocieties to be kept and held in their houſe and apartments, ſhall, upon conviction before any two or more juſtices for the county wherein ſuch perſons reſident, upon the oath of two or more credible witneſſes, forfeit and pay for every ſuch offence twenty pounds, one moiety to the informer, the other to the blue-coat hoſpital; and if not able to pay ſuch fine, it ſhall be lawful for ſaid juſtices, to commit to the common gaol of the county, without bail or mainprize, three months.

or imprisoned 3 months.

All agreements by taylors or journeymen in Dublin or the county to advance wages or leſſen work-hours, and oaths to enforce, illegal,

II. *ſect.* 2. All contracts, covenants, or agreements, in writing or not heretofore or hereafter made or entered into by or between any perſons brought up in, or profeſſing, uſing, or exerciſing the art or myſtery of a taylor, or journeyman taylor, in making up mens or womens cloaths in the city of Dublin, or liberties, or within the county of Dublin, for advancing their wages, or leſſening their uſual hours of work, and all oaths to enforce ſuch contracts or agreements, are hereby declared to be illegal: and further, if any taylor or journeyman taylor within the limits aforeſaid, ſhall after the firſt of June 1772 keep, continue, act in, make, enter into, ſign, ſeal, or be knowingly intereſt or concerned in any contract, covenant, or agreement, by this act declared illegal, every perſon ſo offending, being lawfully convicted upon oaths of two or more credible witneſſes before any two juſtices within their juriſdictions aforeſaid, upon information exhibited or proſecution within three months after the offence committed (which oath, as well as every other allowed by this act, the ſaid juſtices are impowered and required to adminiſter) ſhall by order of the juſtices pay a fine of ten pounds; one moiety to the informer, the other to the blue-coat hoſpital; or if unable to pay be committed either to the houſe of correction, to hard labour not exceeding three months, or to the common gaol, as they ſhall ſee cauſe, there to remain without bail or mainprize not exceeding three months.

on conviction by 2 witneſſes before 2 juſtices on proſecution in 3 months 10l. to informer and blue-coat hoſpital,

or committed not above 3 months.

Taylors work-hours in Dublin or the county from 6 to 8 one hour for dinner, and half for breakfaſt;

III. *ſect.* 3. After the firſt of June 1772 the hours of work for all journeymen taylors, ſervants, and apprentices to taylors, and other perſons employed or retained as taylors in making up men or womens cloaths, or ſuch ſervants or apprentices within the city of Dublin and the liberties or county of Dublin, ſhall be from ſix in the morning until eight at night, excepting only allowed one hour for dinner and half an hour for breakfaſt in the time aforeſaid; and for the ſaid time or hours of work there ſhall be paid unto every journeyman taylor, or other perſon employed, or retained as a journeyman taylor, for his work, during the hours aforeſaid, the wages and ſums following, according to the ſkill and abilities of

ſuch

such journeyman any sum not less than one shilling and four pence, and not exceeding one and eight pence *per Diem*, except during three weeks, from the publication of any order for a general mourning by the king at arms in Dublin Gazette, and during that space, any sum not exceeding two shillings and six pence.

wages not under 1s. & 4d. nor above 1s. & 8d. per Diem, 2s. & 6d. for 3 weeks from an order for general mourning.

IV. *sect.* 4. In case any taylors, or other persons acting as such, or carrying on, using, or exercising the art or mystery of a taylor within the limits aforesaid, shall hire, retain, or employ any journeyman, or other person, not being an apprentice, they shall pay them, according to the skill and abili[illegible] of such journeymen after the rates aforesaid, for the full time they shall so hire, retain, and employ them, or agree so to do.

Persons hired, not apprentices, paid according to skill and abilities after rates aforesaid;

And for more easy recovering said wages, it shall be lawful for any two justices within the jurisdictions aforesaid respectively, and they are hereby required upon complaint upon oath, to summon parties offending, and for non-payment of such wages, or sufficient satisfaction given to the parties aggrieved, to issue their warrant for levying such wages due as aforesaid, by distress and sale of goods, rendering the overplus to the owner; and for want of such sufficient distress to commit to the common gaol, without bail or mainprize, until they shall pay or give satisfaction to the party for the same.

on complaint on oath for non-payment 2 justices may summon,

distress,

or imprisonment till satisfaction.

V. *sect.* 5. And in regard it may be reasonable upon some occasions to alter the wages and hours of work; it shall be lawful for the justices of the county of the city of Dublin at general quarter-sessions, and they are hereby authorized and required upon application for that purpose, to take into consideration the plenty or scarcity of the time, provided such scarcity has continued three months, and other circumstances necessary and proper to be considered, and to alter the wages aforesaid, and to order and appoint what wages and allowances shall be paid to journeymen taylors and servants, retained or employed, in the art and mystery of a taylor within the limits aforesaid from time to time, as such justice think fit, upon application for that purpose; and such justices shall within seven days after such general sessions cause rates and alterations from time to time to be printed, published, and made known, in such manner as to them shall seem meet, at the reasonable expence of any person or persons desiring the same; and after publication thereof all taylors, and their journeymen and servants, within the limits aforesaid, after such knowledge or information of any such rates or alterations are hereby strictly required to observe the same, under penalty of one hundred pounds, to be forfeited, paid, and applied as aforesaid by every offender for every offence, upon conviction before two justices in their respective jurisdictions, upon oath of one credible witness, or in default of payment it shall be lawful for such justices to commit to the common gaol without bail or mainprize not exceeding six months: provided every prosecution in this particular commenced within thirty days after offence committed.

On 3 months scarcity and other proper circumstances wages altered upon application at general sessions,

notice of alteration published [illegible] days;

[illegible]col. forfeited on not observing, [illegible] before a justice, one witness, or imprisonment not above 6 months, [illegible] 20 days after;

VI. *sect.* 6. Nothing in this act shall extend to controul or hinder the paying or receiving further or other wages or allowances (not exceeding three pence the hour in times of general mourning, and two pence at any other times) which shall be agreed upon for working before or after the limited hours; so that such over-work be not any one time less than an hour, and be actually and *bona fide* performed by such journeyman or servant.

[illegible] or [illegible] less than 8 hours, and actually performed, not above 3d. an hour in mourning, 2d. other times.

VII. *sect.* 7. If any person actually retained or employed as a journeyman taylor, or servant in the art or mystery of a taylor within the limits aforesaid, shall after the first of June 1772, depart from his service before the end of the term for which hired or retained, or until the work, for which he was hired or retained, shall be finished, or, not being retained or employed, shall refuse to enter into work

Departing service before the time or work finished, or refusing [illegible] after request for wages limited, without

Neglect allowed by 2 justices, 10l. to informer and blue-coat,

work or employment, after request by any master taylor, for the wages and hours limited and appointed as aforesaid, unless it be for some reasonable or sufficient cause, to be allowed by two justices within the jurisdictions aforesaid respectively, who are hereby authorized and required to inquire into the same, and to summon such person before them) every person so offending, being lawfully convicted as aforesaid, shall pay a fine of ten pounds; one moiety to the informer, the other to the blue-coat hospital; or if unable to pay, sent to the house of correction, to hard labour not exceeding three months.

Or committed 3 months.

Allowing more wages in money or otherwise,

VIII. *sect.* 8. And for preventing mischiefs by non-observation of this act, or by seducing or inticing journeyman taylors or servants from one master to another, if any taylor, or other person professing, using, or exercising the art or mystery, within the limits aforesaid, or any other person aforesaid, shall after the first of July 1772 give, allow, or pay any more or greater wages for the hours of work aforesaid to any servant or journeyman in money or otherwise contrary to the intent of this act, every person so offending, being lawfully convicted before two justices, upon oath of one or more credible witness, within three months after the offence, shall forfeit and pay one hundred pounds; one moiety to the informer or prosecutor, the other to the blue-coat hospital; and every such servant or journeymen, taking more or greater wages for the hours of work aforesaid, being convicted as aforesaid, shall pay a fine of ten pounds; one moiety to informer, the other to the blue-coat hospital; or, if unable to pay such fine, such offenders respectively shall be sent to house of correction, to hard labour not exceeding three months; and all retainers, promises, obligations, or securities for any wages, pay, or allowances, contrary to this act, shall be null and void.

On conviction 3 months by 2 witness 10l. to informer and blue-coat,

10l. by the servant or journeyman, or 3 months committed.

Securities for more void.

For overwork excepted.

IX. *sect.* 9. This act, shall not extend to hinder the paying or receiving any more or other wages or allowances, which shall be agreed upon for working before or after the hours of work limited or appointed, or to be limited or appointed as aforesaid.

Appeal to sessions, on 7 days notice,

X. *sect.* 10. It shall be lawful for any person aggrieved by any order by any two or more justices to appeal to the next general quarter-sessions for the city or county of Dublin respectively, giving seven days notice of such appeal; and such justices in such general quarter-sessions shall finally hear and determine the matter, and have power to award reasonable costs, not exceeding twenty shillings, to either party, as to them shall seem just.

Costs not above 20s.

No other punishment.

XI. *sect.* 11. Any person convicted of any offence against this act, and who shall suffer for the same accordingly, shall not be otherwise punished or suffer for such offence by authority of any law now in force.

On oath of reason to suspect greater wages given, summons to give evidence, and on proof of service, and

XII. *sect.* 12. Any two justices for the county of the city, or county of Dublin respectively may and are required on information on oath, that there is reason to suspect, that any person using or following the business of a master or journeyman taylor within the jurisdictions aforesaid hath given, paid, allowed, or received any greater wages or allowances than as aforesaid, at the request of such informant, to issue summons, requiring any person or persons whatsoever, whose attendance such informant shall think necessary for giving evidence in the premisses, to attend; and if any person summoned shall not attend, and proof made of service of summons, either personally, or by leaving at the last or usual place of abode, said justices are required (unless a reasonable and satisfactory excuse made for such non-attendance) to issue warrant for apprehending and bringing before them, or some other two or more justices, and if any person, so attending or brought before them, refuse to be examined or give testimony they shall commit to the house of

any committed

work.

of correction, until he or she shall submit, provided such person not obliged to give evidence, which may tend to criminate himself. not to criminate himself.

XIII. *sect.* 13. Nothing in this act shall invalidate any of the provisions made against combinations amongst manufacturers by any laws now in force, save as aforesaid; and this allowed to be a publick act in all courts, and judges and justice are to take notice thereof as such without specially pleading; and if any person sued for acting under authority of this act, such person may plead the general issue, and give the special matter in evidence. Provisions against combinations not invalidated, a publick act, general issue.

XIV. *sect.* 14. Every clause herein so far as the same relates to journeymen taylors of the city of Dublin, save only as to the hours of work and rates of wages, shall be of the same force and effect with respect to the shipwrights of the city of Dublin. Extended to journeymen shipwrights of Dublin, except as to work hours and wages.

XV. *sect.* 15. And for declaring, limiting, and appointing the hours of work and rates of wages for journeymen shipwrights after the 1st of June 1772 the hours of work for all journeymen shipwrights and servants employed, or retained as shipwrights, shall be from six in the morning, until six in the afternoon, except only allowed one hour for dinner, and half an hour for breakfast, in the time aforesaid, without esteeming a tide's work only a day's work, when they grave or coat a vessel; and for the said time or hours of work there shall be paid unto every journeyman shipwright, or other person employed, or retained as a journeyman shipwright, for his work, during the hours aforesaid, the wages and sums following, according to the skill and abilities of such journeyman, any sum not less than two shillings, and not exceeding two shillings and six pence a day, with the like powers, reservations, and penalties, both as to master and journeyman, in the foregoing act mentioned for enforcing the same. From 6 till 6. One hour for dinner, half for breakfast, wages not under 2s. nor above 2s. and 6d. a day, enforced by like penalties.

XVI. *sect.* 16. Any shipwright quitting his work unfinished, unless obliged by sickness or some other fatality, without licence of his employer first had, shall forfeit ten pounds, recovered in the manner herein before mentioned. 10l. on quitting work unfinished without licence of employer.

## Tea.

I. *Stat.* 7 *Geo.* 3. *cap.* 27. *sect.* 10. The clause in 33 G. 2. relative to tobacco and tea repealed. 33 G. 2. c. 18. s. 20 repealed.

II. *Stat.* 11 & 12 *Geo.* 3. *cap.* 2. *sect.* 8. From 25th of December 1771 to 25th of December 1773 inclusive six pence *per* pound for green, four pence black bohea and other tea imported, in full satisfaction of all custom, excise, or other duties by any act. 6d. per l. green, 4d bohea, &c.

III. *sect.* 22. Ten thousand pounds of the yearly produce applied first to trustees of linen manufactures, seven thousand three hundred pounds placed to the account of the hereditary revenue; the residue applied with the other duties and aids hereby granted. Applied.

## Tobacco.

I. *Stat.* 7 *Geo.* 3. *cap.* 27. *sect.* 10. The recited clause in 33 G. 2. relative to tobacco and tea; repealed; and all tobacco, which shall be seised and condemned for being illegally imported, sold by the candle according to directions in act of excise; one third of the gross produce to the persons that shall seise or discover, 33 G. 2. c. 10. s. 20. repealed, sold by candle, 1-3d to discoverer,

clear of all expences, coſts of ſuit, or charges whatſoever, the other two-thirds to uſe of his majeſty.

Exported in packages of 500l. and ſhips of 100 tons.

II. *Stat.* 11 & 12 *Geo.* 3. *cap.* 7. *ſect.* 1. No debenture iſſued, nor drawback, allowance, or repayment made when exported or entered outwards, unleſs in packages containing five hundred weight at leaſt, and in ſome ſhip of one hundred tons burthen or upwards, or forfeited, drawback repaid, and twenty pounds each packages forfeited.

Not mixed with rubbiſh, &c.

III. *ſect.* 2. No drawback, payment, or allowance for any tobacco, mixed with rubbiſh, dirt, or any thing whatſoever; with intent fraudulently to increaſe the drawback; perſons, who enter or ſhip or cauſe to be entered or ſhipped, for export ſo mixed, or enter any thing as tobacco for export, which on examination by the proper officer appears not to be tobacco, ſhall forfeit all ſuch goods and the caſks or package and twenty pounds each package.

IV. *ſect.* 20. Continued two years, &c. from 24th of June 1772.

# Trade and Manufactures.

Dublin ſociety to apply 7000l. granted 8 G. 3. c. 1. and remainder of ſums 6 G. 3. c. 1. to premiums on certain manufactures.

I. *Stat.* 7 *Geo.* 3. *cap.* 15. *ſect.* 1. To direct and regulate the application of ſeven thouſand pounds granted this ſeſſion and ſuch part of ſums heretofore granted as remain unapplied under an act in the laſt ſeſſion, the Dublin ſociety may diſpoſe of ſaid ſums for encouragement of the ſilk manufacture as well wholeſale as retail, the woollen, leather, iron, ſteel, copper, braſs, paper, glaſs, and earthen ware manufactures, mixed manufactures of ſilk, wool, cotton, mohair, or linen thread, gold or ſilver thread, or laces thereof manufactured, of the manufacture of printing, ſtamping, and ſtaining of linens or cottons, of acid of ſulphur called oil of vitriol, and of ſaltpetre; ſuch encouragements to be made by premiums on ſaid manufactures when made or ſold in ſuch proportion and rate as the ſociety ſhall direct and appoint.

Save where a patent, or no fair competition.

II. *ſect.* 2. No premium for any manufacture, for which at time of making the maker had any excluſive patent, or for which premium there might not be a fair competition.

250l. for medicines for the poor.

III. *ſect.* 3. Dublin ſociety may diſpoſe two hundred and fifty pounds towards erecting and eſtabliſhing a *pharmacopæia pauperum* for diſpenſing medicines to the poor of Dublin according to a plan by John Wade chemiſt, any thing herein to the contrary notwithſtanding.

Premiums undiſpoſed.

IV. *ſect.* 5. If any premium offered ſhall not be claimed, or the claimants not intitled to receive ſuch ſums, diſpoſed as they think fit for encouragement of all or any manufactures or trades aforeſaid, unleſs previouſly directed by parliament.

Regulations by the ſociety.

V. *ſect.* 7. Said ſociety may make order and regulations for examining the quantity and quality of ſuch goods, as moſt expedient for the public ſervice, and moſt likely to prevent frauds in claimants, and finally determine diſputes as to the right.

Proceſs ſerved on the ſecretary between 20 October and July, and 16 days before return.

VI. *ſect.* 8. In every caſe and ſo often as neceſſary to ſerve the ſociety with proceſs or proceeding of any court of law or equity, the ſervice of the aſſiſtant ſecretary good ſervice of the ſociety, if between twentieth of October and twentieth of July in every year, and ſixteen days at leaſt before return of ſuch proceſs.

# Treasurers.

I. *Stat. 7 Geo. 3. cap. 20. sect. 12.* Grand jury of the assises for county of Tipperary from time to time shall have power, if they think fit, to present in the usual manner for raising any sum not exceeding twenty pounds a year for the treasurer of said county over and above the sum, which the grand jury is now impowered to present for such treasurer; and the judges at such assizes shall and may confirm such presentment.

Tipperary, presentment not exceeding 20l. above usual sum.

# Trees, Wood.

I. *Stat. 7 Geo. 3. cap. 20. sect. 11.* Persons holding by fee farm intitled to enjoy all such exemptions, privileges and encouragements, as are granted to tenants for lives renewable for ever by an act last session.

Like privileges to fee farmers as by 6 G. 3. c. 17. to tenants lives renewable.

II. *Stat. 7 Geo. 3. cap 23. sect. 1.* Persons, who grub up, saw, or otherwise cut down any tree or trees, not being authorised by owner, shall on conviction before one justice on oath of one credible witness forfeit for every such offence to the owner treble the value according to valuation herein; ash, elm, beech, or sycamore of half inch diameter valued at no less than six pence halfpenny; of one inch one shilling; of two inches two shillings; of three inches two shillings and six pence; of four inches three shillings; of five inches four shillings; of six inches four shillings and six pence; of seven inches six shillings; of eight inches eight shillings; every oak from half inch to eight inches diameter always valued by two appraisers sworn for the purpose; diameter measured at the but end; said penalty levied by distress and sale of offenders goods; where no distress can be found, committed to common gaol of the county by warrant of such justice not exceeding twelve months without bail or mainprize; persons buying or receiving knowing the same stolen on conviction as aforesaid liable to all said pains and penalties.

To grub, saw, or cut down, treble value to owner, valuation, distress and sale, or imprisonment 12 months, buyer or receiver liable.

III. *sect. 2.* No person shall strip bark from any growing tree unless authorized by the owner, on pain of forfeiting to owner on conviction before one justice on oath of one credible witness treble value of such tree, every such tree from one to eight inches diameter valued according to said valuation; above eight inches valued by two sworn appraisers; no person, except publick and known tanners and dyers and persons possessed of wood, shall keep any bark or rind of trees in their houses or other places, under pain of forfeiting to any informer not exceeding fifty nor less than thirty shillings on conviction as aforesaid, by distress and sale of goods, where none found, committed to the common gaol by warrant of such justice not exceeding six months without bail or mainprize; constable, officer, or other person by warrant of one justice on information on oath may search in all suspected houses and other places for bark or rind.

Barking, like penalty, none but tanners, &c. to keep bark, penalty not above 50 nor under 30s. to informer, or 6 months imprisonment, search for bark.

IV. *sect. 3.* Any constable, officer, or other person by warrant of one justice on information on oath may search in all suspected houses and places for any wood, trees, poles, or timber, if he shall find any in possession of persons suspected to be guilty of said offences, he shall bring before such justice, if such persons make not full and clear proof to satisfaction of such justice that the same were fairly and honestly bought by or given them by owner, they shall be judged, deemed, and convicted of breach of this act, and subject to the several penalties above inflicted for the first offence, and no writing of any person acknowledging receipt of valuable consideration shall be deemed sufficient proof of honest and fair purchase, till the truth of such writing be ascertained.

Wood, trees, or timber, fair purchase proved, and receipts.

Appeal to ſeſſions.

V. *ſect.* 4. Perſons aggrieved may appeal to next general quarter-ſeſſions, whoſe determination final.

No duty for wood from the plantations in ſubjects ſhips.

VI. *Stat.* 11 & 12 *Geo.* 3. *cap.* 7. *ſect.* 11. No duty whatſoever during the continuance of this act for any timber, balk, deals, wainſcot, or other wood fit for building or manufacture imported from the plantations in ſhips the property of ſubjects navigated according to law.

VII. *ſect.* 20. Continued two years, &c. from twenty-fourth of June 1772.

## Tythes.

48 hours notice in writing before time of ſetting out,

I. *Stat.* 7 *Geo.* 3. *cap.* 21. *ſect.* 1. Owner of corn, hay, peas, or beans (except in gardens) ſhall before removing give notice in writing to perſon intitled to receive tythe, or his known proctor or manager, of the time of ſetting out ſuch tythes forty eight hours at leaſt before ſuch time; ſuch notice delivered to ſuch perſon or his known proctor or manager; or, if neither found at his houſe or uſual abode in the pariſh, to ſome perſon living in ſuch houſe; who is above ſixteen years, all, who give ſuch notice, ſhall without fraud or wilful delay truly and effectually

truly ſet out and deliverpd, receiver may ſtock in the field,

divide ſet out and deliver ſuch tythes to the perſons intitled, who ſhall attend purſuant to ſuch notice; the receivers may make in ſtocks or otherwiſe on the field, where it grew, and where it may remain and be preſerved ſo long as the reſt or any

preſſed with the reſt.

part of the reſt of the corn, hay, or things ſhall remain on the field undrawn by the owner.

On non-reſidence or an union 48 hours notice on church door.

II. *ſect.* 2. If the perſon intitled to receive, or known manager and proctor, have no place of reſidence in ſaid pariſh, or if many pariſhes united, ſufficient to give ſaid notice by affixing on pariſh church door forty eight hours before the time of ſetting out; which notice ſhall continue ſo affixed from ten in the forenoon till one in the afternoon of the day.

Reputation ſufficient, unleſs title controverted,

III. *ſect.* 3. Sufficient for eccleſiaſtick or lay impropriator in any ſuit for ſubſtraction of predial tythes to prove he was and is reputed incumbent or impropriator, and had acted as ſuch at or before the time, the right of the tythes accrued without producing or proving other title, unleſs controverted, and pleaded by party ſued that proſecutor is not the true and legal incumbent or impropriator.

Before citation in eccleſiaſtical court, petition regiſtered, ſo as no 2d ſuit,

IV. *ſect.* 4. Before any citation for ſubſtraction of predial tithes a petition or complaint in writing ſhall be lodged in the regiſtry of the eccleſiaſtical court, in which ſhall be inſerted all the predial tythes then due to the perſon citing by the perſon ſo cited, ſo as no ſecond ſuit ſhall be commenced againſt the ſame perſon for any ſuch predial tythes, which ſhall have become due before that time; and a

copy ſerved,

copy atteſted by the regiſter ſerved on the party cited, along with the copy of ſuch citation, which citation ſhall alſo contain an intimation to the party, that whether

and intimation,

he ſhall appear or contumaciouſly abſent himſelf, the judge will proceed in a ſummary way to hear and finally determine on the day aſſigned by citation; provided the time aſſigned for appearace ſhall not be ſooner than thirty days after the date, and the ſame may be ſerved with ſuch copy of petition in three days after date of citation, as citations are uſually ſerved in other caſes in ſaid courts; and on return

ſummary hearing.

of ſuch citation and intimation, and due proof of ſervice, with ſuch copy of petition as before by oath in writing on the back or annexed thereto, ſworn before the judge of the court, ſaid judge may proceed in ſummary way to hear and determine by witneſs *viva voce* and ſuch other legal proofs as ſhall be offered on behalf of either party, and give final ſentence either in preſence of the party cited and

inti-

intimated, or his proctor, or in pain of his contumacy if he ſhall abſent himſelf, and adjudge coſts to the party prevailing not exceeding one pound ſix ſhillings and eight pence. — ſubs not above 1l. 6s. 8d.

V. *ſect.* 5. Such petition may be without ſubſcription of advocate or proctor; no exception admitted for any defect or form, either party may appear without any proctor, if they think fit, the judges and regiſters required to receive appearances and proofs, and finally hear and determine in the moſt ſummary manner without regard to formality of proceedings and regarding only the juſtice of the caſe; judges or regiſters not to exact or receive any fees whatſoever from either party in ſuch ſuits for predials tythes; but in lieu of ſuch fees it ſhall and may be lawful for the ordinaries of every dioceſe to grant ſuch ſum out of their proxies due to them at their annual viſitation to the judge and regiſter of their reſpective courts, as they in their diſcretion think a reaſonable recompence for ſuch fees, as they would have reſpectively been intitled to in ſuch ſuits, if this act had not paſſed. — No advocate or proctor neceſſary, no exception for form, ſummary hearing regarding only juſtice, inſtead of fees diſcretionary grant out of proxies.

VI. *ſect.* 6. No attachment or committal ſhall be made by juſtice of peace; but where any party condemned in any ſum for predial tythes or coſts of ſuit ſhall refuſe or neglect after ſervice of monition from the court, and proof on oath of due ſervice, fifteen days after ſervice to ſatisfy and pay the ſums decreed, the perſon obtaining ſentence, executors or adminiſtrators, may ſue by civil bill before next judges of aſſiſe for the county, where the party againſt whom ſentence reſides, or in any other court where civil bill allowed, in ſuch manner as ſuits by civil bills now allowed to be brought, ſo as the ſame do not exceed twenty pounds; a true copy of ſuch monition under ſeal of the court and proof on oath of ſervice fifteen days at leaſt before the hearing ſuch civil bill ſufficient and concluſive evidence of the ſum due; and the party obtaining decree intitled to ſuch execution and proceſs with uſual coſts of civil bills. — No attachment purſuant to 33 H. 8. c. 12. On proof of ſervice of monition 15 days civil bill, if not above 20l. copy of monition evidence of ſum due.

VII. *ſect.* 7. All perſons intitled to appeal from ſuch ſentences in eccleſiaſtical courts on ſuch terms and manner as heretofore ſince the act 33 H. 8. — Appeal as before.

VIII. *ſect.* 8. If the matter appear to ſuch judge of aſſiſe of eccleſiaſtical cognizance, defendant may give in evidence any thing ſubſequent to the ſentence ſufficient in law or equity to diſcharge him of the whole or any part. — ſubſequent matter given in evidence by defendant.

IX. *ſect.* 9. Said court ſhall be a court of equity to defendant to examine plaintiff or his known proctor or manager on oath, on reaſonable notice to plaintiff or his proctor that his attendance is expected at the hearing ſuch civil bill. — Court of equity to defendant.

X. *ſect.* 10. Nothing herein ſhall give or confirm a right in the incumbent to any ſpecies of tythes, to which not already intitled by law or equity. — no new right to tithes.

XI. *ſect.* 11. Where any quaker refuſes to pay, compound for, or ſet out his great or ſmall tythe, or pay any cuſtomary or other rights or dues to any church or chapel, which by law and cuſtom ought to be paid, two juſtices of the ſame county (other than ſuch as is patron or any ways intereſted in ſaid tithes) upon complaint of any perſon, who by law and cuſtom ought to have, receive, or collect any ſuch tythes, dues, or payments, to ſummon, and they are hereby required to ſummon, in writing under hands and ſeals, ſuch quaker, and after appearance, or on default, ſervice of ſaid ſummons firſt duly proved, examine on oath the truth and juſtice of ſaid complaint, and determine in a ſummary way, aſcertain and ſtate what is due and payable by ſuch quaker to complainant, and by order under hands and ſeals direct and appoint payment, ſo as the ſum exceed not ten pounds, if ſuch quaker refuſes to pay, ſaid juſtices by warrant may levy the money by reaſonable diſtreſs and ſale of goods rendering the overplus, ſuch diſtreſs, if not redeemed, ſold by publick cant to higheſt and faireſt bidder at next market town adjoining the place where diſtreſs taken, diſtrainer firſt cauſing notice to be poſted up four days — Quakers refuſing a juſtices may ſummon, and determine ſummarily, not above 10l. levy by diſtreſs and ſale, 4 days notice,

Appeal to judges of aſſiſe,

days previous to ſale, perſons aggrieved by ſuch judgment by two juſtices may appeal to next judges of aſſiſe for the county, who may and ſhall proceed finally to hear and determine, and reverſe or affirm, as on the merit appears juſt and equitable, if ſaid judges find cauſe to affirm, ſhall decree accordingly, and award ſuch coſts againſt appellant levied by reaſonable diſtreſs and ſale in manner aforeſaid, as to them ſeems juſt and reaſonable.

coſts againſt appellant.

No diſtreſs till appellant heard.

XII. *ſect.* 12. If ſuch appeal made, no warrant of diſtreſs granted, till after appeal determined.

No new right.

XIII *ſect.* 13. Nothing herein ſhall give any remedy to any rector, vicar, or proprietor, for recovering of any ſpecies of tythes, to which not already intitled by law and cuſtom.

As to Quakers continued 2 years, &c.

XIV. *ſect.* 14. The ſeveral clauſes and proviſoes herein relative to recovery of tythes and other church dues from quakers ſhall continue two years, and to end of the then next ſeſſion, and no longer.

No proctor to farm tythes.

XV. *ſect.* 16. No proctor in ſpiritual courts allowed to act as tythe farmer, or take any tythes except of lands of which he is proprietor or occupier.

Continued 2 years, &c.

XVI. *ſect.* 17. This act ſhall be in force two years from 24th of June 1768 and to end of then next ſeſſion.

To 24 June, 1772. &c.

XVII. *Stat.* 11 *Geo.* 3. *cap.* 1. *ſect.* 9. Said act 7 G. 3. c. 21. continued until 24th of June 1772, and to the end of then next ſeſſion.

7 G. 3. c. 21. perpetual.

XVIII. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 9. An act the ſeventh of his preſent majeſty, *to continue and amend an act the thirty-third of Henry the eighth, for tythes,* ſhall be made perpetual.

## Vermin.

1 G. 3. c. 17. ſ. 2. continued to 24 June 1772, &c.

I. *Stat.* 11 *Geo.* 3. *cap.* 2. *ſect.* 2. Whereas an act 7 G. 2. c. 10. was continued by 1 G. 3. c. 11. ſec. 2, in which a clauſe with exception as to rooks and herons is continued to 1ſt of May 1769, ſaid clauſe revived and continued until 24th of June 1772, and to the end of then next ſeſſion.

27 G. 2. c. 10. ſ. 8. continued 2 years, &c. with amendments,

II. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 4. A clauſe in an act the ſeventeenth of George the ſecond, which relates to the giving rewards for the more effectual deſtroying vermin; and which, with an exception for rooks and herons, was revived and continued by ſubſequent acts, and is now near expiring, ſhall be continued and remain in force from the twenty-fourth of June, 1772, for two years, and from thence to the end of then next ſeſſions with the following amendments, *viz.* that an affidavit be produced to the grand jury of the county, in which ſuch vermin was killed or deſtroyed, ſworn before any two juſtices of the peace for ſuch county, in the following form, which oath ſuch juſtices are hereby impowered to adminiſter.

affidavit before a juſtices and juſtices certificate annexed produced to grand jury.

*County of* I *A. B. of* *in the ſaid county, do ſwear, that I have killed within this county, ſince the laſt aſſiſes held for the ſame, the following vermin,* viz. *and that all the ſaid kites, ſcall-crows, or magpyes, were killed between the month of September laſt paſt, and the month of March.*

Provided

## Vermin.

Provided, that a certificate annexed to ſuch affidavit, ſigned by ſuch juſtices, ſhall be produced to ſuch grand jury in the following form:

*We* A. B. *and* C. D. *juſtices of the peace for this county, do certify, that* E. F. *of in this county, hath produced to us the heads of the above mentioned kites, ſcall-crows, or mag-pyes, and the ſkins of the above-mentioned otters, martins, wheezles, or rats.*

## Veſtries.

1. *Stat.* 7 *Geo.* 3. *cap.* 9. *ſect.* 2. Where conſent of incumbent or miniſter, church-wardens, and proteſtant inhabitants in veſtry aſſembled, or major part of them, required by any law heretofore made, or that ſhall hereafter, in abſence of the incumbent where ſuch veſtry held by the curate aſſiſtant or other licenſed miniſter, who ſhall officiate and hold ſuch veſtry in place and ſtead of ſuch abſent incumbent, ſuch acts of veſtry ſhall be as good and effectual in law, as if the incumbent had been preſent.

Held by curate or licenſed miniſter in abſence of incumbent, valid.

## Watch.

1. *Stat.* 11 & 12 *Geo.* 3. *cap.* 19. *ſect.* 2. A clauſe in an act tenth of George the firſt, which relates to pariſh-watches and highways, ſo far as it relates to pariſh-watches, ſhall be revived and continue in force two years, and from thence to the end of the then next ſeſſion.

10 G. 1. c. 3. as to pariſh watches continued 2 years, &c.

## Wine.

1. *Stat.* 7 *Geo.* 3. c. 27. *ſect.* 1. Commiſſioners of exciſe or any three, or collector, or chief officer, where liquors imported as wines, may cauſe all ſuch liquors ſo imported, and alledged by the merchant or importer to be damaged, corrupt, or unmerchantable wine, to be ſtaved, ſpilled, or mixed with ſalt, as they judge moſt expedient, any thing in the recited act 33 G. 2. notwithſtanding; and thereupon the merchant importing ſhall be repaid the duties and compenſation for freight and other charges as by ſaid act.

Staved, ſpilled, or mixed with ſalt by commiſſioners of exciſe or collectors,

duties repaid as by 33 G. 2. c. 10. ſ. 38.

THE END.

MVSEVM
BRITANNICVM

THE END.

AN

# APPENDIX

TO THE

# ABRIDGMENT

OF THE

# Statutes of IRELAND;

708.h.36

CONTAINING

An ABRIDGMENT of the ſeveral ACTS paſſed in this Kingdom, in the Thirteenth and Fourteenth Years of His preſent Majeſty, our moſt gracious Sovereign Lord King *George* the Third.

MVSEVM BRITANNICVM

WITH

A TABLE of the Titles of the STATUTES, ſhewing under what Heads they are Abridged.

---

By FRANCIS VESEY, Eſq;

---

DUBLIN:

Printed by the Executors of DAVID HAY, Aſſignee of the late BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty.

MDCCLXXIV.

# APPENDIX

TO THE

# ABRIDGMENT

OF THE

# Statutes of IRELAND;

CONTAINING

An ABRIDGMENT of the feveral ACTS paſſed in this Kingdom, in the Thirteenth and Fourteenth Years of His preſent Majeſty, our moſt gracious Sovereign Lord King George the Third.

MVSEVM
BRITANNICVM

TABLE of the Titles of the STATUTES, ſhewing under what Heads they are Abridged.

By FRANCIS VESEY, Eſq;

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Printed by the Executors of DAVID HAY, Aſſignee of the late DOULTER GRIERSON,
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MDCCLXXIV.

# TABLE

OF THE

# Titles of the STATUTES

PASSED IN THE

## Thirteenth and Fourteenth Years of the Reign of His preſent Majeſty King *George* the Third.

## Shewing under what Heads they are abridged.

*Anno regni decimo tertio & decimo quarto* Georgii III. *Regis.*

CHAP. I.

AN act for granting unto his majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned, and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns, except of the manufacture of Great Britain.

Tax, &c.

CHAP. II.

An act for granting unto his majeſty the ſeveral duties, rates, impoſitions, and taxes therein particularly expreſſed, to be applied to pay an intereſt at the rate of four *per cent. per annum*, for ſuch part of the ſeveral principal ſums formerly borrowed, as ſhall remain unpaid on the twenty-fifth day of December, one thouſand ſeven hundred and ſeventy-three, and to apply the ſurplus of the ſaid duties, in ſuch manner, and

for ſuch purpoſes, as ſhall be directed by parliament.

**Abſentees. Coaches, &c. Cyder. Loan. Tea.**

CHAP. III.

An act for granting to his majeſty an additional duty upon the ſeveral goods and merchandizes therein mentioned.

**Duties.**

CHAP. IV.

An act to repeal an act, *intituled*, an act for the more effectual puniſhing wicked and diſorderly perſons, who have committed, or ſhall commit violences, and injuries to the perſons or properties of any of his majeſty's ſubjects in the counties of Antrim, Down, Armagh, city and county of Londonderry, and county of Tyrone, or any of them; or who ſhall deliver or publiſh threatening letters, or who reſiſt or oppoſe the levying the publick taxes in the ſaid counties, or any of them; and for the more effectual bringing to juſtice certain offenders therein mentioned.

**Riots.**

CHAP. V.

An act for granting annuities in the manner therein provided, to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty-five thouſand pounds.

**Annuities.**

CHAP. VI.

An act for granting to his majeſty, his heirs and ſucceſſors, ſeveral duties upon vellum, parchment, and paper.

**Stamps.**

CHAP. VII.

An act to explain and amend an act paſſed in this ſeſſion of parliament, *intituled*, an act for granting annuities in the manner therein provided, to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty-five thouſand pounds.

**Annuities.**

CHAP. VIII.

An act for continuing and amending ſeveral laws now in force, relating to his majeſty's revenue, and for the more effectually preventing frauds therein.

**Coaches, &c. Diſtillers. Duties. Licences. Revenue.**

CHAP. IX.

An act for licenſing hawkers and pedlars, and for the encouragement of Engliſh proteſtant ſchools.

**Hawkers. Schools.**

CHAP. X.

An act to explain and amend an act made in the third year of the reign of his late majeſty king George the ſecond, *intituled*, an act for the better keeping churches in repair.

**Churches.**

CHAP. XI.

An act for amending an act paſſed in the twenty-ninth year of the reign of his late majeſty king George the ſecond, *intituled*, an act for the further encouragement of tillage.

**Corn, &c.**

CHAP. XII.

An act for continuing and amending three ſeveral acts, one paſſed in the reign of his late majeſty king George the ſecond, and the other two in his preſent majeſty's reign, for making the river Lagan navigable, and opening a communication by water between Loughneagh and the town of Belfaſt; and for enabling the commiſſioners therein named, to raiſe money

money by aſſignment of ſaid duties, for the more expeditious and effectual carrying on ſaid work.

**Inland Navigation.**

CHAP. XIII.

An act for allowing further time to perſons in offices or employments, to qualify themſelves, purſuant to an act *intituled*, an act to prevent the further growth of popery.

**Qualifying.**

CHAP. XIV.

An act for the more effectual preventing the forging or altering the acceptance of indorſements of bills of exchange, or the numbers or principal ſums of accountable receipts for notes, bills, or other ſecurities for payment of money, or warrants or orders for payment of money on delivery of goods.

**Forgery.**

CHAP. XV.

An act for making perpetual an act, *intituled*, an act to regulate the trials of controverted elections, or returns of members to ſerve in parliament.

**Parliament.**

CHAP. XVI.

An act for the more effectual proceeding againſt perſons ſtanding mute on their arraignment for murder, felony, or piracy.

**Mute.**

CHAP. XVII.

An act for granting to his majeſty his heirs and ſucceſſors, the yearly ſums therein mentioned, and for the better ſupport of the foundling-hoſpital and workhouſe of the city of Dublin, and for increaſing the fund thereof.

**Hoſpitals.**

CHAP. XVIII.

An act for the better regulating the office of county-treaſurer, and the duty of the clerks of the crown, in reſpect of preſentments, and to enable the grand-jury of the county of Wicklow, to raiſe money by preſentment, for purchaſing of ground or houſes adjoining to the court-houſe of ſaid county, for the purpoſe of building additions to the ſaid court-houſe.

**Treaſurers. Wicklow.**

CHAP. XIX.

An act for the better and more certain valuation of houſes in counties of cities and counties of towns.

**Taxes.**

CHAP. XX.

An act for amending the laws relative to the lighting and cleanſing of ſeveral cities, and for eſtabliſhing of market-juries therein, and for other purpoſes.

**Lights. Markets. Nuiſances.**

CHAP. XXI.

An act for amending an act paſſed in the third year of his majeſty's reign, *intituled*, an act for the better regulation of the linen and hempen manufactures.

**Linen.**

CHAP. XXII.

An act for paving the ſtreets, lanes, quays, bridges, ſquares, courts, and alleys, within the city and county of the city of Dublin, and other purpoſes relative to the ſaid city of Dublin, and other places therein particularly mentioned.

**Dublin.**

CHAP. XXIII.

An act for the better regulation of the admiſſion and practice of attornies.

**Attornies.**

CHAP. XXIV.

An act for amending two acts paſſed in the laſt ſeſſions, the one, *intituled*,

*intituled*, an act for the relief of poor infants, who are or ſhall be deſerted by their parents; the other, *intituled*, an act for preventing the ſpreading of fires, and for appointing of watches in cities and towns-corporate, and for other purpoſes.

**Infants. Fire.**

CHAP. XXV.

An act for amending an act paſſed in the third year of the reign of his preſent majeſty, *intituled*, an act for confirming the titles, and for quieting the poſſeſſion of proteſtants, and for giving time to converts from popery to perform the requiſites of conformity preſcribed by the laws againſt popery.

**Proteſtants.**

CHAP. XXVI.

An act for enforcing a due execution of the laws relative to turnpike-roads in this kingdom.

**Highways.**

CHAP. XXVII.

An act to amend an act paſſed in the eighth year of his preſent majeſty, *intituled*, an act for erecting new chappels of eaſe in the pariſh of Armagh, and making ſuch chappels, and thoſe that are already erected in ſaid pariſh, perpetual cures; and for making a proper proviſion for the maintenance of perpetual curates to officiate in the ſame, and for other purpoſes.

CHAP. XXVIII

An act for amending and continuing an act paſſed in the third year of his preſent majeſty, *intituled*, an act for the more effectual amending and repairing the road leading from the city of Dublin to the bridge of Dunleer; and for the better ſecuring the debts due, or to grow due to the creditors of the ſaid road.

**Highways.**

CHAP. XXIX.

An act for amending and repairing the road leading from the city of Cork, to the brook which bounds the counties of Cork and Tipperary, near the foot of Killworth mountain, and from thence to the road leading from the town of Clonmell in the county of Tipperary, through the towns of Clogheen, Mitchelſtown, and to Doneraile in the county of Cork; and for making additional truſtees for the turnpike-road between Kilkenny and Callan.

**Highways.**

CHAP. XXX.

An act for amending the road from Dundalk to Dunleer, in the county of Louth.

**Highways.**

CHAP. XXXI.

An act for continuing, explaining, and amending an act made in the eighth year of the reign of his preſent majeſty George the third, *intituled*, an act for making and repairing the road from the town of Liſtowell, in the county of Kerry, through the lands of Liſtowell, Drumin, Skehanireen, Bunegarah, Killmeany, Curragpholig, Knockenure, Liſſiniſky and Binaniſpig, in the county of Kerry; Atea, Taumpleatlea, Glanagour, Knockfiniſk, Carrigkerry, Glanduff, Glannoſtare, Ballyline, Ardagh commons, Ardagh town, Liſhilleen, otherwiſe Liſhereen, Skehanagh, Killcannell and Reens, in the county of Limerick, ending at the forge on the ſaid lands of Reens, at the turn of the road leading to Newcaſtle from Rathkeal, in the ſaid county of Limerick

**Highways.**

CHAP. XXXII.

An act for amending the publick roads.

**Highways.**

CHAP.

CHAP. XXXIII.
An act for continuing an act, *intituled*, an act for repairing the road leading from Tubber, near the bounds of the counties of Clare and Galway, to the town of Ennis in the ſaid county of Clare, and from thence to the north liberties of the city of Limerick.
**Highways.**

CHAP. XXXIV.
An act for making and amending publick roads in the county of Dublin, and for regulating the aſſeſſing, applotting, and levying of money in the county of the city of Dublin.
**Dublin.**

CHAP. XXXV.
An act to enable his majeſty's ſubjects, of whatever perſuaſion, to teſtify their allegiance to him.
**Papiſts.**

CHAP. XXXVI.
An act for amending and continuing an act paſſed in the ninth year of his late majeſty king George the ſecond, *intituled*, an act for repairing the road leading from the town of Armagh in the county of Armagh, to the town of Newry in the county of Down.
**Highways.**

CHAP. XXXVII.
An act for preventing frauds in the meaſurement of lime.
**Lime.**

CHAP. XXXVIII.
An act to prevent the importation of wines in caſks, under the ſize of thirty-one gallons, except as herein excepted.
**Wine.**

CHAP. XXXIX.
An act for altering, amending, and making more effectual, the laws for repairing the road leading from the city of Dublin to the town of Kinnegad in the county of Weſtmeath, and from thence to the town of Mullingar in the ſame county, and for other purpoſes therein mentioned.
**Highways.**

CHAP. XL.
An act for ſettling and preſerving a publick library in the city of Armagh, for ever, and for enabling the archbiſhop of Armagh to appropriate parts of a piece of waſte ground contiguous to the ſaid city, to certain uſes, for the benefit of the inhabitants thereof, and to make long leaſes of the remainder.
**Armagh.**

CHAP. XLI.
An act for reviving and continuing ſeveral temporary ſtatutes, and to prevent the deſtructive practice of trawling for fiſh in the bay of Dublin.
**Colliers and Miners. Corn. Drugs. Fiſh. Clerks. Game. Juries. Poſſeſſion and foreign Service. Seamen. Tythes. Watch.**

CHAP. XLII.
An act for reviving, continuing, and amending ſeveral temporary ſtatutes, and for other purpoſes therein mentioned.
**Corporations. Game. Judgments. Hoſpitals. Vermin. Weights.**

CHAP. XLIII.
An act for explaining and amending an act paſſed in the fifth year of his preſent majeſty's reign, *intituled*, an act for erecting and eſtabliſhing publick infirmaries or hoſpitals in this kingdom.
**Hoſpitals.**

CHAP.

CHAP. XLIV.
An act paſſed the laſt ſeſſion of parliament, *intituled*, an act for the relief of the inſolvent debtors named in the annexed ſchedules.
**Debtors.**

CHAP. XLV.
An act to prevent malicious cutting and wounding, and to puniſh offenders called chalkers.
**Chalkers.**

CHAP. XLVI.
An act for amending an act made the laſt ſeſſion of parliament, *intituled*, an act for badging ſuch poor as ſhall be found unable to ſupport themſelves by labour, and otherwiſe providing for them; and for reſtraining ſuch as ſhall be found able to ſupport themſelves by labour and induſtry, from begging.
**Poor.**

CHAP. XLVII.
An act for the better regulation of the baking trade in the city of Dublin.
**Bakers.**

AN

# ABRIDGMENT

OF THE

# Several Acts paſſed in this Kingdom

IN THE

## Thirteenth and Fourteenth Years of the Reign of His preſent Majeſty King *George* the Third.

### Abſentees.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 2. *ſect.* 16. All perſons, who ſhall have upon the 25th of December, 1773, or between the 25th of December, 1773, and the 25th of December, 1775 incluſive, any ſalary, profits of employments, fees, or penſions, ſhall pay unto his majeſty four ſhillings ſterling out of every twenty ſhillings a year, which they ſhall receive or be entitled unto by reaſon of ſuch, over and above the charges and expences of executing the ſaid employments, unleſs ſuch perſons live and actually reſide within this kingdom ſix calendar months at leaſt in each of ſaid years; which tax or duty ſhall be ſtopped and deducted yearly out of ſuch ſalaries, fees, and penſions, by the vice-treaſurer, paymaſter, and receiver-general or ſuch perſons who are to pay the ſame; and ſhall be paid to the vice-treaſurers, or deputies, to be accounted for to his majeſty; and alſo ſhall be ſtopped by the reſpective deputies of ſuch perſons ſo abſent, and paid by them to the vice-treaſurers, or deputies, to be accounted for to his majeſty; and ſuch deputies ſhall within one calendar month after ſuch tax due, give in upon oath an account before the lord chief baron, or any of the barons of exchequer, or any two juſtices of peace, of the net profits of ſuch employments, for which ſuch deputies are accountable to their principals; which accounts, ſuch perſons, to whom the ſame given upon oath, ſhall forthwith ſend to the vice-treaſurers, or deputies; and ſuch deputies ſhall within one calendar month after ſuch account, pay to the vice-treaſurer or deputies, the ſum due on account of ſaid tax; and in caſe ſuch deputies of perſons ſo abſent neglect to give in upon oath ſuch account, or to pay ſaid tax within times appointed, ſuch deputies, from the time of ſuch omiſſion, ſhall be incapable of exerciſing or holding ſuch deputation, and alſo forfeit one hundred pounds, by bill, plaint, or information in any courts of record at Dublin; one moiety to uſe of his majeſty, the other to ſuch perſons who ſue; in which ſuit no eſſoign, protection, wager of law, or more than one imparlance ſhall be allowed.

4s. per pound on net profits of ſalaries, &c. between 25 Dec. 1773 and 1775, if abſent 6 months each year,

ſtopped, and accounted for to the king,

deputies in one month to account on oath before a baron or 2 juſtices of peace for net profits,

account ſent forthwith to vice-treaſurer,

payment in one month after, penalty, diſabled, and 100l. to king and proſecutor.

# Absentees.

Secretaries and agents to deliver yearly by the last of Feb. to a baron or 2 justices lists of absentees,

II. *sect.* 17. The secretaries of the commissioners of revenue, the agents of the regiments upon the establishment, and of the persons intitled to receive any salaries, fees, or pensions upon his majesty's establishment, shall on or before the last of February yearly deliver in upon oath (which oath the chief baron, or any of the barons of exchequer, or any two justices, are required and impowered to administer) to the best of their knowledge a list or account of such of the officers of revenue, and of said regiments of degree of a colonel (not having a regiment) and of persons intitled to receive any such salaries, fees, or pensions, absent for six calendar months in the year, ending the twenty-fifth of December preceding; and in case such secretaries or agents, refuse or neglect to deliver such lists, they shall be disabled from holding and enjoying said office of secretaries, or being agents.

or disabled.

Persons exempt from the 4s. per pound.

III. *sect.* 18. This act shall not extend to charge the tax or duty of four shillings a year upon the salary, pension, fees, or profits of employments payable to any of the descendants of his majesty's grandfather, or to the lord lieutenant, or other chief governor, principal secretary, or to prince Ferdinand, duke of Brunswick, the duke and dutchess of Athol, sir Edward Hawke, or George Charles, if his majesty shall think fit by his sign manual, to exempt any of them from the payment; nor shall the same extend to the officers of regiments, now or hereafter commanded abroad on his majesty's service, to colonels not having regiments, or to any officer under degree of a colonel, to the halfpay officers on the establishment, or the widows of officers.

# Annuities.

*Amended by c. 7.* Annuities at 6 *per cent* paid at the treasury to subscribers for 265000l. at 100l each, for lives of nominees by subscribers, with additional interest by survivorship, *in London paid by persons appointed, c. 7. sect. 1.*

I. *Stat.* 13 & 14 *Geo. 3. cap. 5. sect.* 1. If any persons natural-born subjects or foreigners, shall, within the several times, and in manner herein after particularly mentioned, pay into his majesty's treasury in Ireland any sum or sums of money not exceeding in the whole two hundred and sixty-five thousand pounds, to be subscribed by them in sums of one hundred pounds each, there shall be paid to such persons so paying and advancing the same respectively, their executors, administrators, or assigns, or to the person or persons legally authorized by them to receive the same, by the hands of the vice-treasurer or vice-treasurers, paymaster or receiver-general, his or their deputy or deputies, annuities of six pounds *per annum* for each and every hundred pounds so subscribed and paid, for and during the lives of the persons to be nominated by the persons subscribing and paying the said sum and sums respectively, together with such additional interest as shall accrue by survivorship in manner herein after provided; and that the said annuities shall commence from the 25th day of December 1773, and shall be paid half-yearly in equal portions on every 24th day of June and 25th day of December in every year.

to commence 25 Dec. 1773, half yearly, 24 June & 25 Dec.

20 *per cent.* paid by 1 March 1774. *enlarged to 1st by c. 7. s. 6.*

40l. by 1 June 1774.

40l. by 24 July 1774

Annuitants named by 24 July 1774,

II. *sect.* 2. Twenty pounds, part of each one hundred pounds so to be subscribed, shall be paid into the said treasury on or before the 1st day of March in the year 1774; and forty pounds *per cent.* thereof paid on or before the 1st day of June in the year 1774; and the remaining sum of forty pounds *per cent.* to compleat the payment of every such subscription of one hundred pounds paid on or before the 24th day of July in the year 1774; at or before which last mentioned time all and every person and persons, having compleated the payment of the sum or sums by him, her, or them subscribed respectively, shall name such person or persons, as he, she, or they shall think proper,

proper, to be the perſon or perſons for and during whoſe life or lives the ſaid annuity or annuities with the ſaid benefit of ſurvivorſhip ſhall be reſpectively paid; and every ſubſcriber may ſubſcribe and pay as many ſums of one hundred pounds each, as he or ſhe ſhall think fit; and all perſons ſubſcribing and paying as aforeſaid may name to the vice-treaſurer or vice-treaſurers, paymaſter or receiver-general, his or their deputy or deputies for the time being, one or more life or lives at his, her, or their diſcretion for the ſum or ſums by him, her, or them ſubſcribed and paid; ſo as no more lives than one be named for each diſtinct ſum of one hundred pounds ſo ſubſcribed and paid; and every perſon ſo ſubſcribing and paying, or their executors, adminiſtrators, or aſſigns, ſhall receive ſuch annuity or intereſt as aforeſaid, together with ſuch benefit of ſurvivorſhip as is herein after provided, for every hundred pounds ſubſcribed and paid as aforeſaid, during the life ſo named for every ſuch ſum of one hundred pounds reſpectively; and every ſuch ſubſcriber may name one and the ſame life for ſo many of ſuch ſeveral and diſtinct ſums of one hundred pounds each, ſo ſubſcribed and paid, as ſuch ſubſcriber ſhall think fit; and the ſeveral nominees in the ſaid life-annuities ſhall be divided by the vice-treaſurer or vice-treaſurers, paymaſter or receiver-general, his and their deputy and deputies, into three ſeparate claſſes; the firſt claſs to conſiſt of perſons of the age of forty years and upwards; the ſecond of twenty years and upwards, but under forty; and the third of perſons under the age of twenty years. And the entire intereſt of the entire ſum ſo to be advanced by perſons ſubſcribing in any of the ſaid claſſes, computing ſuch intereſt at the rate of ſix pounds by the hundred by the year, ſhall go to and be divided among the perſons ſo ſubſcribing, in proportion to the ſums by them reſpectively ſubſcribed and paid, as the nominees in ſuch claſs ſhall die, until by benefit of ſurvivorſhip the annuity payable to each ſubſcriber ſhall amount to a ſum equal to, but never to exceed, the entire principal ſum originally advanced and paid by each ſubſcriber; and the remainder of the ſaid intereſt from time to time, as it ſhall accrue, ſhall be applied to the credit of the nation; and to avoid fractional diviſions, and the expence and difficulty of keeping long and intricate accounts, no diſtribution of any ſum or ſums, ſo accruing by ſurvivorſhip in any of the ſaid claſſes, ſhall be made to the ſubſcribers in any ſuch claſs, until ſuch ſum or ſums, ſo accrued by the fall of lives in ſuch claſs, ſhall be ſufficient to pay an additional intereſt of one half *per cent.* to the ſeveral perſons, who ſhall be then entitled to receive the ſame; and every ſubſcriber, who ſhall not compleat his ſubſcription within the times and in manner aforeſaid, ſhall forfeit the ſum or ſums by ſuch ſubſcriber advanced, and the ſame ſhall be applied to the credit of the nation; and if any ſubſcribers die, before he, ſhe, or they ſhall have compleated the payment of the ſum or ſums ſo ſubſcribed by him, her, or them reſpectively as aforeſaid, the executors, adminiſtrators, or aſſigns of ſuch ſubſcriber or ſubſcribers may compleat the payment within the time aforeſaid.

ſubſcribers as many 100l. as they think fit,

may name one or more lives,

ſo as only one each 100l.

annuities with ſurvivorſhip during life of nominee for each 100l.

may name the ſame life for ſeveral 100l.

3 claſſes of nominees,

1ſt, 40 years and upwards,
2d, 20,
3d, under 20.

divided in proportion to ſubſcription as nominees in each claſs die, till by ſurvivor each annuity equal but never to exceed principal advanced,

remainder to credit of the nation.

No diſtribution by ſurvivorſhip, till ſufficient to pay additional half *per cent.*

Subſcriptions not compleated, forfeited,

applied to national credit.

On death of ſubſcribers executors may compleat payment.

III. *ſect.* 3. In the office of the vice-treaſurer or vice-treaſurers, paymaſter or receiver-general, his or their deputy or deputies, there be provided and kept one or more book or books, in which ſhall be fairly entered the names of all, who ſhall be ſubſcribers, and of all perſons by whoſe hands the ſaid ſubſcribers ſhall pay any of the ſaid ſums, and alſo of the ſeveral ſums ſo paid, and the time when the ſame are reſpectively paid; the ſaid entry to be made upon payment of the ſaid ſums; and alſo in the ſaid books there ſhall be

Books kept,

ſubſcribers names entered, and ſums paid, by whom, and when,

and nominees, and their ages,

be entered the ſeveral nominees, and the ages of ſuch nominees for whoſe lives reſpectively the ſaid annuities ſhall be payable at the times when the ſame ſhall be nominated as aforeſaid; to which books it ſhall be lawful for the reſpective ſubſcribers, their executors, adminiſtrators, and aſſigns, from time to time, at all ſeaſonable hours, to have reſort and to inſpect the ſame without fee or reward; and as well the ſaid ſeveral ſubſcribers as nominees ſhall be deſcribed in ſaid books by their names and ſir-names, additions, places of abode, and other deſcriptions which ſhall beſt aſcertain the perſons; and every ſubſcriber upon compleating the payment of one or more hundred pounds as aforeſaid ſhall immediately receive from the officers of his majeſty's treaſury one or more debenture or debentures, in which ſhall be mentioned and expreſſed the names and ſir-names, additions, places of abode, ages, and other deſcriptions of the nominee or nominees, and alſo the receipt of the conſideration money, for which the ſubſcriber ſhall receive one or more annuity or annuities, with ſuch benefit of ſurvivorſhip as aforeſaid, during the life or lives of ſuch nominee or nominees, whether ſuch nominee be the ſubſcriber or any other perſon.

reſorted to without fee,

deſcribed ſo as to aſcertain perſons;

debentures on compleating payment,

with deſcription of nominee, and receipt, annuities paid, whether nominee ſubſcriber or not.

IV. *ſect.* 4. It ſhall be lawful for any ſubſcribers, their executors, adminiſtrators or aſſigns, at any time during the life or lives of their reſpective nominee or nominees, by any writing under hand and ſeal, or by their laſt will in writing, to aſſign or deviſe any one or more ſuch ſhare or ſhares as aforeſaid, payable during the life or lives of ſuch nominee or nominees reſpectively, as the caſe may be, to any perſon or perſons, and ſo *toties quoties*; and no ſuch aſſignments to be revokeable; ſo as an entry or memorandum of ſuch aſſignment or will be made in books kept for that purpoſe in the office aforeſaid within two months after ſuch aſſignment or death of the deviſor; and upon producing ſuch aſſignment or the probate of ſuch will in the office aforeſaid, to be entered as aforeſaid, the party ſo producing ſuch aſſignment ſhall bring therewith an affidavit taken before ſome perſon authorized to take affidavits in cauſes depending in any of the courts at the city of Dublin, or, in caſe the party aſſigning ſhall not reſide in Ireland, before any perſon duly authorized to take the oath of the party, of the due execution of the ſaid aſſignment, which affidavits ſhall be ſeverally filed in the ſaid office; which ſaid entry or memorandum the ſaid officers of treaſury are hereby required to make accordingly, and to file the ſaid affidavits; and in default of ſuch aſſignment or deviſe by deed or will the intereſt of ſuch ſubſcriber ſhall go to his executors and adminiſtrators for the life of ſuch nominee or nominees, as the caſe may be.

Subſcribers, executors, &c. may aſſign by deed or deviſe,

ſo *toties quoties.*

not revokeable, entered in 2 months after aſſignment or death,

affidavit of execution produced and filed;

on default of aſſignment or deviſe, the intereſt to executors or adminiſtrators.

V. *ſect.* 5. It ſhall be lawful for any guardian or truſtee, having the diſpoſal of the money of any infant under twelve years for the uſe and benefit of ſuch infant, to advance and pay with approbation of the lord chancellor, lord keeper, or keepers of the great ſeal for the time being, for the purpoſes aforeſaid, the ſum of one or more hundred pounds of the money of ſuch infant, and thereupon, at ſuch time and in ſuch manner as is herein before appointed for the naming of lives, to name the ſaid infant to be a nominee; and ſuch infant upon payment of the ſaid ſum or ſums ſhall become a ſubſcriber within the meaning of this act, and be intitled to have and receive during his or her life an annuity with benefit of ſurvivorſhip in ſuch manner and proportion as any other ſubſcriber; and the ſaid guardian or truſtee, as to the ſaid ſum or ſums ſo advanced, is hereby diſcharged, and ſhall be accountable only to the ſaid infant for ſuch annuity or annual intereſt, as he ſhall receive under this act.

Guardian or truſtee of infant under 12, may pay, and name infant, with approbation of the chancellor, &c.

intitled as ſubſcriber,

truſt diſcharged as to ſo much,

accountable only for annuity.

VI. *ſect.*

VI. *ſect.* 6. All ſubſcribers, their executors, adminiſtrators, or aſſigns, upon their demanding any half yearly payment of their reſpective annuities (unleſs the nominee appear in perſon at the time of demanding) ſhall, whenever the vice-treaſurer or vice-treaſurers, or paymaſter general, their deputy or deputies, ſhall think proper to demand the ſame, produce a certificate of the life of their reſpective nominee, ſigned by the miniſter, or in his abſence by the curate of the pariſh, where ſuch nominee ſhall be then living, upon the day when the ſaid half yearly payment ſhall become due, if ſuch nominee ſhall be then reſiding in the kingdom of Ireland, which certificate the ſaid miniſter or curate is hereby required to make without fee or reward; and the ſaid certificate ſhall be filed in the office of vice-treaſurer or vice-treaſurers, paymaſter or receiver general, who are hereby authorized and required, whenever they find it neceſſary, to examine upon oath (which oath they are impowered to adminiſter) any perſon intitled to an annuity, or any other perſon whatſoever, touching the exiſtence of any nominee or nominees.

Certificate by ſubſcribers of nominee's life, if demanded, unleſs nominee appears,

ſigned by the miniſter or curate, if nominee in Ireland;

filed,

examination on oath of nominee's exiſtence.

VII. *ſect.* 7. In caſe any nominee ſhall at the time of ſuch demand be reſident beyond the ſeas, and any one or more of the barons of the exchequer for the time being ſhall certify, that upon proof to him or them made (which proof they are authorized and required to take in a ſummary way) it doth ſeem probable to him or them, that the ſaid nominee is living (which certificate is to be given, and examinations made, without any fee or charge) the ſaid certificate, being filed as aforeſaid, ſhall be a ſufficient warrant for payment of the ſaid annuities half yearly to the reſpective ſubſcribers, their executors, adminiſtrators, or aſſigns.

If nominee beyond ſea, a baron's certificate on ſummary proof warrant for payment.

VIII. *ſect.* 8. In caſe any perſon, by intent of this act intitled to receive any annuity as aforeſaid, ſhall neglect to demand the ſame in manner aforeſaid for three years, he or ſhe ſhall for ever loſe and forfeit the ſame, as if his or her nominee had been dead at commencement of ſaid three years

On not demanding 3 years, annuity forfeited.

IX. *ſect.* 9. That it may appear upon every half yearly payment, unto and amongſt what perſons and in what proportions the ſaid annuities are to be diſtributed, in the ſaid office every half year, within twenty days before the reſpective days of payment there ſhall be made up an account of the ſeveral nominees, whoſe deaths are come to knowledge, and of the ſeveral ſubſcribers who have made default in making demand as aforeſaid.

Half yearly accounts of nominees deaths and ſubſcribers defaults,

20 days before payment.

X. *ſect.* 10. If any perſons demand payment of any ſum for any life not in being, knowing the ſame expired, the perſon ſo making demand ſhall upon proof thereof forfeit treble the ſum ſo demanded to any of the remaining ſubſcribers in the ſame claſs, who will ſue for the ſame, by action of debt, bill, plaint, or information in any court of record at Dublin, in which no eſſoign, protection, wager of law, or any more than one imparlance allowed; and in every ſuit for ſaid ſum the proof of exiſtence of ſuch life at the time of ſuch demand ſhall lie upon the perſon ſo demanding.

On demand knowingly for life not in being,

treble to ſubſcriber of ſame claſs ſuing,

proof on demandant.

XI. *ſect.* 11. If any perſon ſhall receive one or more half yearly payments of ſaid annuities after death of any nominee for whoſe life ſuch annuity payable, it ſhall be lawful for any ſubſcriber in the claſs, in which ſuch nominee was named, to require the ſame to be repaid into the office of the vice-treaſurer, paymaſter, or receiver-general, deputy or deputies, for benefit of the ſubſcribers in ſuch claſs; and in caſe of refuſal or neglect to pay in the ſame within one month after ſuch demand, ſuch perſon ſo refuſing or neglecting ſhall forfeit treble the ſum ſo received; by action of debt, bill, plaint, or information, in any courts of record at Dublin, in the name of ſuch ſubſcriber

On payment after nominee's death, repayment for the claſs, on requeſt of ſubſcriber;

on non payment in a month, treble to ſubſcriber ſuing,

subſcriber who ſhall make the demand as aforeſaid; in which action no eſſoign, protection, privilege, or wager of law, or more than one imparlance ſhall be allowed; and upon the trial of ſaid action the proof, that the nominee or nominees were living at the time ſuch payment or payments, ſo required to be repaid, became due and payable as aforeſaid, ſhall lie on the ſubſcriber or perſon, to whom or for whoſe benefit the ſaid annuity was ſo paid.

proof of nominee's exiſtence on the party.

Nominee's death certified in a month after notice,

debentures delivered up in 3 months, if in ſubſcriber's power,

penalty 20l. to proſecutor.

XII. *ſect.* 12. Subſcribers, their executors, adminiſtrators, and aſſigns, within one month next after notice of the death of their reſpective nominees, ſhall certify ſuch death to the vice-treaſurer, paymaſter or receiver-general, deputy or deputies; and ſhall alſo within three months after ſuch notice deliver or cauſe to be delivered up their debenture, by which they were intitled during the life or lives of ſuch nominee or nominees to receive any annuities as aforeſaid, in caſe ſuch debenture be in their hands or power; and in default thereof ſuch ſubſcribers, their executors, adminiſtrators, or aſſigns ſhall forfeit twenty pounds; by action of debt, bill, plaint, or information in manner aforeſaid, and to the uſe of any perſon who ſhall ſue for the ſame.

No fee or reward to officers.

XIII. *ſect.* 13. And for better encouraging perſons to advance the ſaid ſum not exceeding two hundred and ſixty-five thouſand pounds upon the terms aforeſaid, all receipts and iſſues, and all other things directed by this act to be performed in the office of the vice-treaſurer or vice-treaſurers, paymaſter or receiver-general, their deputy or deputies, ſhall be done and performed by the officers there without demanding or receiving directly or indirectly any fee, gratuity, or reward for the ſame.

No penalty on officer for payment on forged or falſe certificate, &c. unleſs knowingly.

XIV. *ſect.* 14. Provided always, that in caſe the vice-treaſurers, paymaſter or receiver-general, their deputy or deputies, ſhall make payment of any ſuch annuity as aforeſaid upon ſuch certificate, as is before directed, ſuch officer ſhall not incur any penalty, forfeiture, or diſability, or be liable to any action of the ſubſcribers for doing thereof, though the ſaid certificate be forged or falſe, or the ſaid nominee be dead, unleſs the ſaid officer did know at the time of ſuch payment, that the ſaid nominee was dead, or that the ſaid certificate was forged or falſe.

Oath or affirmation at or before nomination before a juſtice where nominee reſides.

XV. *ſect.* 15. All perſons reſiding in Ireland, who ſhall ſubſcribe one or more hundred pounds towards raiſing the ſaid ſum, not exceeding two hundred and ſixty-five thouſand pounds, ſhall at or before the time of nominating the life or lives, during which they ſhall be intitled to receive ſuch annual intereſt with benefit of ſurvivorſhip, make oath, or being a quaker ſolemn affirmation, before ſome juſtice of the peace of the county, or county of the city or town, where ſuch perſons ſo nominated ſhall reſide, to the following effect:

The oath,

as to perſon of nominee, his abode, and age.

*I* A. B. *do ſwear, that to the beſt of my belief* C. D. *of the pariſh of in the county of* (or county of the city or county of the town of as the caſe ſhall be) *ſon or daughter of now living or lately living in the pariſh of in the county of* (or county of the city or county of the town of) *the perſon nominated by me for whoſe life I have ſubſcribed the ſum of one hundred pounds* (or any greater ſum as the caſe ſhall be) *is under the age of twenty years,* (or is of the age of twenty and under the age of forty years, or is of the age of forty years and upwards as the caſe ſhall be).

And

And if any ſubſcriber nominate his or her own life, ſuch ſubſcriber ſhall make oath or ſolemn affirmation before any juſtice of the peace of the county, or county of the city or town, where ſuch ſubſcriber ſhall reſide, to the effect aforeſaid, concerning his or her age reſpectively; which oath or affirmation, atteſted by two or more credible witneſſes, ſhall be delivered to the vice-treaſurers, paymaſter or receiver general, or deputies, to be filed in the office, before any debenture iſſued to ſuch ſubſcriber or ſubſcribers; and if any ſuch ſubſcriber not reſident within this kingdom, an affidavit to the like effect, to be made before the principal magiſtrate or magiſtrates of the place where the perſons ſo making the ſame reſide, and atteſted by two or more credible witneſſes, ſhall be delivered to the ſaid vice-treaſurers, paymaſter or receiver-general, or deputies, to be filed in the ſaid office, before any debenture ſhall be iſſued to ſuch ſubſcriber.

Like oath by ſubſcriber's nominees,

2 witneſſes thereto,

filed,

before debenture iſſued.

if ſubſcriber not reſident here, like affidavit before the principal magiſtrate where, &c.

XVI. *ſect.* 16. The ſurplus or exceedings of the aids and duties granted by an act paſſed in this ſeſſion, intituled, *An act for granting unto his majeſty the ſeveral duties, rates, impoſitions, and taxes therein particularly expreſſed, to be applied to pay an intereſt at the rate of four* per cent. per annum, *for ſuch part of the ſaid ſeveral principal ſums formerly borrowed, as ſhall remain unpaid on the twenty-fifth day of December* 1773, *and to apply the ſurplus of the ſaid duties in ſuch manner, and for ſuch purpoſes, as ſhall be directed by parliament*, over and above what ſhall be ſufficient to diſcharge the intereſt therein mentioned and provided for, or ſo much of ſuch ſurplus or exceedings as ſhall be for that purpoſe neceſſary, ſhall be applied towards the payment of the ſeveral annuities to be granted to the ſeveral ſubſcribers, who ſhall advance the ſaid ſum, not exceeding two hundred and ſixty-five thouſand pounds, or any part thereof as aforeſaid; and out of the reſidue five thouſand pounds yearly ſhall be paid by half yearly payments to the Dublin Society for the encouragement of trade, agriculture, and manufactures in this kingdom, and the remaining ſurplus, if any, to be at the diſpoſal of parliament.

Surplus duties by 13 & 14 G. 3. applied to ſaid annuities;

of the reſidue, 5000l. half yearly to Dublin Society, remainder at diſpoſal of parliament.

XVII. *ſect.* 17. Neither the ſix pence *per* pound, nor any other fee, ſhall be payable to, or be deducted or received by, the vice-treaſurers, receiver or paymaſter-general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the ſaid two hundred and ſixty-five thouſand pounds, to be raiſed by life-annuities, with benefit of ſurvivorſhip, or for or on account of the payment of any of the ſaid annuities; but that all ſuch fees, as ſhall ariſe upon the iſſuing of the ſaid two hundred and ſixty-five thouſand pounds, or any part thereof, or upon any payment to be made thereout, ſhall be duly accounted for and paid to his Majeſty, his heirs and ſucceſſors.

No fees thereout to officers,

ſuch fees duly accounted for to his majeſty.

XVIII. *Stat.* 13 & 14 *Geo.* 3. *cap.* 7. *ſect.* 1. Whereas the annuities, payable by an act, intituled, *An act for granting annuities in the manner therein provided, to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty-five thouſand pounds*, are to be paid by the vice-treaſurer, paymaſter, or receiver-general, or deputies: and whereas it hath been found, ſince paſſing ſaid act, that ſeveral perſons in Great Britain have been diſcouraged from ſubſcribing on account of the trouble and expence, which may be occaſioned by obtaining remittances of their annuities to Great Britain; to remove this diſcouragement, and to place the ſubſcribers in Great Britain and Ireland upon an equal footing, it ſhall be lawful for the lord lieutenant, or chief governor, from time to time to

*Cap.* 5. *ſect.* 1.

Recital.

to remove diſcouragement, and place ſubſcribers in Great Britain and Ireland on equal footing,

chief governor may appoint perſons to pay the annuities in London without deduction, Iriſh currency,

to appoint one or more perſon or perſons to pay in the city of London the annuities in ſaid act, according to the rate that money is current for in Ireland, for ſuch ſums as have been or ſhall be ſubſcribed, and for which the perſon, intitled to receive ſaid annuity, ſhall at the time of compleating his ſubſcription declare his intention of receiving his ſaid annuity in London; which ſaid annuities ſhall be paid without any deduction, abatement, or charge whatſoever, either for exchange or otherwiſe.

intent to receive in London declared at compleating ſubſcription.

Remittances out of the duties for punctual payment without charges.

XIX. *ſect.* 2. Vice-treaſurer, paymaſter, or receiver-general, or deputies, ſhall from time to time out of the duties, rates, impoſitions, and taxes, granted by an act this ſeſſion, for payment among other things of the ſaid annuities, remit to the perſon or perſons ſo appointed, ſums of money ſufficient for the punctual and regular payment of ſaid annuities in London, at the times mentioned in ſaid act, without any charge, deduction, or abatement whatſoever.

Expences of remittance charged on the duties,

profit by exchange to national credit.

XX. *ſect.* 3. Whatever expences incurred by ſending or remitting from time to time the ſaid annuities from this kingdom to London, and payment there, ſhall be charged upon ſaid duties, rates, impoſitions and taxes, and whatever profit ſhall be made in way of exchange by remitting ſaid ſums, or any of them, ſhall be brought to credit of the nation.

Appointees may on demand of annuity require certificate of nominee's life, unleſs in perſon, ſigned by the miniſter or curate,

XXI. *ſect.* 4. The perſon or perſons ſo appointed may, whenever he or they think proper, require from the ſubſcriber or ſubſcribers in London, their executors, adminiſtrators, or aſſigns, unleſs the nominee appear in perſon at the time of demanding the annuity, ſuch certificate of the life of their reſpective nominee, ſigned by the miniſter, or in his abſence by the curate, of the pariſh where ſuch nominee ſhall be living on the day, when the half yearly payment ſhall become due, in like manner as the vice-treaſurer, paymaſter, or receiver-general, or deputies may, where nominee reſiding in Ireland; and ſhall from time to time by all lawful means in their power examine touching the exiſtence, and uſe their beſt endeavours to diſcover the deaths of any of the nominees of ſaid ſubſcribers in London; and immediately after ſuch diſcovery communicate the ſame to the treaſury in this kingdom.

and examine to exiſtence and diſcover deaths and nominees, and communicate immediately to the treaſury,

and tranſmit yearly account of payments, times, and perſons,

XXII. *ſect.* 5. Such perſons ſo appointed ſhall once every year tranſmit to the treaſury in this kingdom an account of all ſuch annuities, as they ſhall pay in purſuance of this act, diſtinguiſhing reſpective times of payment, and the perſons to whom paid.

Time for 1ſt payment enlarged to 31ſt March, 1774.

XXIII. *ſect.* 6. The time for making the firſt payment by any perſon, who ſhall ſubſcribe or has ſubſcribed towards raiſing the ſaid ſum not exceeding two hundred and ſixty-five thouſand pounds, ſhall be enlarged to the thirty-firſt of March 1774.

Continued to 25th Dec. 1775.

XXIV. *ſect.* 7. This act ſhall continue until the twenty-fifth of December 1775, and no longer.

## Armagh.

Premiſes granted veſted in truſtees for ever for uſe of library.

I. *Stat.* 13 & 14 *Geo.* 2. *cap.* 40. *ſect.* 1. The houſe mentioned to have been built by Richard lord archbiſhop of Armagh, the ground on which it ſtands, and the court, and all other appurtenances to ſaid houſe and library belonging, together with ten acres of land in the town-land of Liſanally, ſettled and veſted, and that all lands, tenements, ſums, books printed, and manuſcripts, and all other things of what kind or nature ſoever, which ſhall at

at any time be given or diſpoſed of, whether perſonally, or by deed, or will, to uſe of ſaid library, or office of keeper, veſted in the archbiſhop of Armagh for the time being, Hugh Hamilton dean of Armagh, Arthur Jacob chanter of ſaint Patrick's, Armagh, Alexander Biſſet chancellor of ſaid cathedral, Francis Hamilton treaſurer, Charles Walter Congrave, archdeacon of Armagh, William Godley prebendary of Mullagbrack, Henry Leſlie, prebendary of Ballymore, Brabazon Diſney prebendary of Loughall, and the prebendary of Tynan when inſtituted, the ſame being now vacant, and their ſucceſſors ſeverally, for the time being, for ever, in truſt, for the reſpective uſes, intents, and purpoſes herein before mentioned, to uſe of ſaid library, or keeper, for ever, and to ſuch other uſes, intents, and purpoſes, as ſhall be declared or appointed by the perſons giving, granting, or deviſing the ſame, and to no other, and the ſame ſhall remain in ſaid truſtees and their ſucceſſors, for ever, unalienable, and without being capable of forfeiting, ſelling, incumbring, or otherwiſe diſpoſing, otherwiſe than as herein after mentioned; the ſaid houſe, and library, and ground for a court thereunto belonging, in Armagh, to remain free from all manner of taxes impoſed, or hereafter to be impoſed by act of parliament, unleſs charged expreſſy and by name, any law, uſage, or cuſtom to the contrary notwithſtanding.

unalienable,

free of taxes, unleſs named.

II. *ſect.* 2. Created a corporation or body politick for the purpoſes herein contained only, and appointed governors and guardians of ſaid houſe and library, built and erected by Richard lord archbiſhop of Armagh; and ſaid governors and guardians authorized to elect two perſons of the dioceſe of Armagh, to be joined with them in the aforeſaid truſt, as governors and guardians of ſaid houſe and library; and upon the death or reſignation of any ſuch elected governors and guardians, from time to time to elect other fit perſons governors or guardians in their room; and ſaid governors and guardians for the time being, in their own names and deſcriptions, as aforeſaid, as by the title of governors and guardians of the library erected by Richard lord archbiſhop of Armagh, ſhall have power to take all gifts, grants, and legacies, and be ſeized, and poſſeſſed thereof for ever, to the uſes, and under truſts aforeſaid, and capable to ſue for the ſame in any court of law or equity; the ſtatute of mortmain, and all other laws, ſtatutes, uſages, or cuſtoms to the contrary notwithſtanding: and they, or any three or more, the archbiſhop of Armagh for the time being preſent, but in caſe of his being ſick, or out of this kingdom, or during vacancy, then any five or more of ſaid governors and guardians ſhall have power to meet from time to time, and as often as occaſion, to conſider of, and make ſuch reaſonable rules and orders for government and management of ſaid houſe and library, as they think neceſſary; to which the keeper for the time being ſhall for ever be ſubject, and obſerve, on pain of being ſuſpended from ſaid office or employment, and from the income, profits, and lodgings thereunto belonging, during pleaſure of ſaid governors and guardians.

A corporation, governors and guardians, may elect 2 others of the dioceſe,

take gifts, &c.

notwithſtanding ſtatute of mortmain:

3 may meet and make rules, archbiſhop preſent, if abſent, 5;

obſerved by keeper, or ſuſpended.

III. *ſect.* 3. In caſe ſaid library keeper ſhall continue obſtinate ſeven days after being ſuſpended, and will not obſerve the orders, rules, and directions, ſaid governors and guardians, or any five or more, the archbiſhop of Armagh for the time being preſent, ſhall have power to meet, and deprive and remove the ſaid keeper from ſaid office or employment, and to take from him the income, profits, and lodgings to ſaid office belonging, and another keeper appointed in like manner as if the keeper ſo deprived or removed, was naturally dead.

If obſtinate 7 days, removed,

another choſen.

Appointment in the archbiſhop,

IV. *ſect.* 4. The nomination and appointment of a library-keeper for ſaid library, and ſucceſſors, and ſo often as occaſion, upon the death of the keeper, ſurrender, forfeiture, or other avoidance, veſted in the archbiſhop of Armagh for the time being; and the perſon ſo appointed, and none other, ſhall be

during good behaviour;

library-keeper, and hold that office during his good behaviour, and intitled to the lodgings and apartments in ſaid houſe allotted, or ſuch parts thereof as ſaid governors and guardings think fit, and to ſaid court belonging, and

keeper to be a preſbyter of the church,

a maſter;

land aforeſaid, and to the ſalary of ſaid office belonging: provided the perſon ſo appointed keeper be a preſbyter of the church of England or Ireland as by law eſtabliſhed, and ſhall have taken the degree of maſter of arts in one of the univerſities of England, or Ireland; and before his admiſſion to

on recognizance 500l. with 2 ſureties for the books.

the office, he ſhall give to ſaid governors and guardians ſecurity of five hundred pounds, by recognizance, with ſufficient ſecurities, that none of ſaid books ſhall be loſt, or otherwiſe embezzled, and ſhall alſo take the oath following.

His oath.

*I A. B. do ſwear, that I will uſe my utmoſt care and endeavour to preſerve all the books and other things which are or ſhall be committed to my charge by the governors and guardians of the publick library, built and erected in Armagh, by Richard lord archbiſhop of Armagh, and that I will not, wittingly or willingly, ſuffer any of the ſaid book during my continuance in the office of library-keeper, to be lent abroad, (unleſs permitted ſo to do by an order of the governors and guardians at the general viſitation) given away, or embezzled, or to be any wiſe damnified through my fault; and that I will, to the utmoſt of my power, obſerve all ſuch ſtatutes, rules, and conſtitutions already made, or which ſhall hereafter be made, concerning the ſaid office of library-keeper, while the ſame ſhall continue in force, and I ſhall continue in the ſaid office. So help me God.*

Which oath the archbiſhop for time being, or being abſent, or vacancy of that ſee, any two or more of ſaid governors and guardians ſhall be impowered to adminiſter.

Books changed, duplicates ſold, and others bought.

V. *ſect.* 5. Lawful for ſaid governors and guardians, or any three or more, to change any books given to ſaid library, and where duplicates, for other books to be put into ſaid library, or to ſell ſuch duplicates, and with the money ariſing by ſale, buy ſuch other books, as they think proper, to be put into ſaid library.

VI. *ſect.* 6. Said governors and guardians, or any three or more, whereof the archbiſhop of Armagh, unleſs ſick, or out of this kingdom, or the ſee vacant, ſhall always be one, and in caſe of ſuch abſence or ſickneſs, one of the governors aforeſaid, whom ſaid archbiſhop ſhall, under his hand and archiepiſcopal ſeal, appoint to be preſent and of that number, ſhall, on the day

Yearly viſitation thereof.

preceding, or next after the general annual viſitation of ſaid dioceſe at Armagh, perſonally viſit every year ſaid library, and inſpect the ſtate and condition, and at ſuch viſitation make ſuch orders and rules, and give ſuch directions, as to them, or major part ſhall ſeem neceſſary and convenient; and ſaid govetnors and guardians may adjourn ſaid viſitations to ſuch further time or times, as they or major part think fit.

Notice of meeting.

VII. *ſect.* 7. The archbiſhop for time being, or in caſe of his abſence or neglect, any two of ſaid governors and guardians directed to give due notice or ſend ſummons to each of ſaid governors and guardians, of the time and place intended for meeting for purpoſes aforeſaid, two days at leaſt before.

VIII. *ſect.*

VIII. *ſect.* 8. Waſte land, containing nine acres, one rood, and thirty-ſeven perches, with all buildings which ſhall ſtand thereupon, ſhall be veſted in ſaid archbiſhop of Armagh, and his ſucceſſors, for ever, to the intent that ſaid archbiſhop and his ſucceſſors, may cauſe ſuch roads, as he ſhall think neceſſary, to be made through ſaid ground from the ſaid city to the roads leading on each end of ſaid ground from ſaid city to different parts of the country, and to parcel out the remainder of ſaid ground into ſo many diviſions as he or they ſhall think proper, and by deed under his or their hand and archiepiſcopal ſeal, to appropriate ſuch diviſions, or ſo many of them as he or they think fit ſeverally, for uſe of holding fairs and markets, and ſuch other uſes as he and they judge moſt advantageous to the inhabitants of ſaid city, from thenceforth to remain ſo appropriated for ever; and to demiſe and leaſe by indenture, under archiepiſcopal ſeal, the remainder of ſuch diviſions, as alſo ſuch part of the diviſion to be appropriated for markets as neceſſary for ſhambles, from time to time, for any number of years not exceeding ſixty, taking ſuch fines upon each demiſe and renewal, and reſerving thereupon ſuch annual rent as he and they think fair and reaſonable, ſuch rent to he made payable to ſaid archbiſhop and his ſucceſſors.

Waſte veſted in archbiſhop and ſucceſſors to make roads;

for fairs and markets, &c.

and to demiſe not above 60 years;

taking fines, reſerving rent, for ſaid corporation and inhabitants advantage.

IX. *ſect.* 9. All ſuch fines and rents ſhall be applied to ſuch uſes and purpoſes, as ſhall appear to him and them of moſt advantage to ſaid corporation and the inhabitants of ſaid city, and for no other whatſoever.

X. *ſect.* 10. Said archbiſhop or his ſucceſſors, may exchange ſo much of other land, the eſtate of ſaid ſee, as neceſſary, for a part of equal value of ſaid waſte land, aſcertaining the quantities and parts ſo exchanged, by writing, under hand and archiepiſcopal ſeal, and lodging in the office of the regiſter, ſuch writing, or a duplicate, with a ſurvey of the parts ſo exchanged, certified under hand and archiepiſcopal ſeal; ſaving nevertheleſs to his majeſty, his heirs and ſucceſſors; and all other perſons, bodies politick and corporate, their heirs, executors, adminiſtrators, and ſucceſſors, other than ſaid Richard lord archbiſhop of Armagh, and his executors, adminiſtrators, and ſucceſſors, the ſaid ſovereign, burgeſſes, and corporation, and inhabitants of Armagh, all ſuch right, title, or intereſt, as they or any of them had, may, or might have, in, to, or in any wiſe concerning the premiſſes, or any part, parcel, or particular thereof, hereby intended to be veſted in aforeſaid truſtees, ſeverally for the reſpective uſes, intents, and purpoſes before mentioned, as if this act never made.

Power to exchange ſaid waſte for other parts of the ſee;

ſaving right of others.

XI. *ſect.* 11. This act deemed in all courts a publick act, and all judges ſhall take notice thereof without ſpecially pleading.

A publick act.

## Attornies.

I. *Stat.* 13 & 14 *G.* 3. *cap.* 23. *ſect.* 1. Whereas the admiſſion of attornies is of the greateſt conſequence and concern to the publick, particularly to the ſuitors: and it has been a frequent practice among the inferior claſs of attornies, to take apprentices of low education, whoſe circumſtances or condition, frequently induce them to be guilty of mean and improper practices, to diſhonour of the profeſſion, great injury and damage of their Clients, and the public; after the 1ſt day of Trinity term 1774, it ſhall be lawful for the judges of the king's bench, or any two, and they are hereby required, to appoint the prothonotary of ſaid court, or his deputy, and four of the moſt reputable practiſing attornies of ſaid court, to examine all perſons applying

2 judges of B. R. to appoint the prothonotary or deputy, & 4 reputable practi-

fing attornies of ſaid court, examiners on admiſſion of attornies, during pleaſure; not leſs than 4 examiners at a time.

applying to be admitted attornies of ſaid court, and for the other purpoſes herein mentioned, to continue during pleaſure of ſaid court, who are hereby required, if any of ſaid perſons ſhall be diſplaced, diſqualified to act, or diſabled to practiſe, to appoint one or more perſon or perſons in his or their places, ſo that the number of examiners ſhall not be leſs than four attornies at any time.

The like in C. B.

II. *ſect.* 2. After the 1ſt day of Trinity term 1774, it ſhall be lawful for judges of common pleas, or any two, and they are required in like manner to appoint the prothonotary, or deputy, and four of the moſt reputable practiſing attornies of ſame court, to examine all perſons applying to be admitted attornies, and for the other purpoſes herein mentioned, to continue during pleaſure of court, who are hereby required, if any of ſaid perſons ſhall be diſplaced, diſqualified to act, or diſabled to practiſe, to appoint one or more in his or their places, ſo that the number of examiners ſhall not be leſs than four attornies at any time.

In exchequer.

III. *ſect.* 3. After the firſt day of Trinity Term 1774, lawful for barons of exchequer, or any two, and they are required, to appoint the chief remembrancer, the treaſurer or ſecond remembrancer, and clerk of the pleas of the exchequer, or their reſpective deputies, and four of the moſt reputable practiſing attornies of ſaid court, to examine all perſons applying to be admitted attornies of ſaid court, and for the other purpoſes herein mentioned, to continue during pleaſure of ſaid court, who are required, if any of ſaid perſons ſhall be diſplaced, diſqualified to act, or diſabled to practiſe, to appoint one or more in his or their places, ſo that the number of examiners ſhall not be leſs than four attornies at any time.

None admitted, unleſs beſides requiſites by 7 G. 2. c. 5. he procures a certificate of 3 examiners;

IV. *ſect.* 4. After the laſt day of Trinity term 1774, no perſon applying to be admitted attorney of ſaid courts, or any of them, ſhall be admitted, unleſs, over and above, and beſides the requiſites appointed to be performed by ſtatute 7 G. 2. ſuch perſon ſhall firſt procure a certificate of the ſaid perſons ſo appointed, or three of them, ſigned by them, ſetting forth, that they have ſtrictly enquired and examined into the morals and qualifications of the perſon ſo applying to be admitted, and that they think him a proper perſon to be ſo admitted; which certificate ſhall be filed in the court, of which ſuch perſon ſhall ſo apply to be admitted, and an atteſted copy thereof ſhall be produced and openly read in ſaid court, previous to his being ſworn an attorney therein.

certificate filed, a copy firſt read in court.

Notice of applying poſted on each court one full term before, with his name, maſter's, parents, and their reſidence, if living, and affidavit filed in the court; ſee 22.

V. *ſect.* 5. Every perſon, who ſhall ſo apply to be admitted attorney after laſt day of Trinity term 1774, ſhall give notice in writing of his intended application, to be publiſhed and poſted upon ſaid courts one full term preceding, ſpecifying therein his name and ſir-name, whom he ſerved, names and additions of his parents, and, if living, where they reſide; and ſuch publication of ſaid notice ſhall be made appear to the perſon ſo appointed by the court, or three of them, where ſuch perſon ſhall ſo apply to be admitted an attorney, by affidavit firſt filed in the proper office of ſuch court or courts, and for filing and atteſting the copies thereof two ſhillings, and no more, ſhall be paid.

VI. *ſect.* 6. And whereas many inconveniencies and miſchiefs daily ariſe, by reaſon that perſons, legally admitted attornies, but who afterwards reſide for the moſt part in the country, do there take apprentices from the lower claſs, without education or any means of ſubſiſting, and cauſe them to be ſworn attornies of courts, where they never after appear, but become

common

common barrators; and ſeveral attornies ſuffer perſons not qualified to proſecute and defend ſuits at law and in equity, in their names; no perſon whatſoever hereafter bound apprentice to an attorney of any of ſaid courts, ſhall be admitted an attorney thereof, unleſs he make appear to the judges of the court, in which he ſo applies, by affidavit or affidavits filed in the proper office, or an atteſted copy or copies thereof, (for the filing and copy of which two ſhillings, and no more, ſhall be paid) or in ſuch other manner as ſuch judges ſhall for that purpoſe appoint or direct, that as well the attorney, to whom he ſhall ſo have been bound, ſhall have ſerved, according to the aforeſaid of 7 G. 2. as alſo that the ſaid perſon, ſo applying to be admitted, ſhall have for three years next before the time of ſuch application attended two terms at leaſt in every year at the four courts in Dublin, or ſuch one of them whereof ſuch attorney is a member.

No apprentice admitted attorney unleſs ſhewing the judges by affidavit or other manner as directed, that the attorney, to whom bound, ſerved as by 7 G. 2. c. 5. and that 3 years before he attended the 4 courts 2 terms a year.

VII. *ſect.* 7. In caſe of ſickneſs or unavoidable accidents the judges and barons of ſaid courts reſpectively ſhall and may make ſuch allowances and exceptions, as they in their diſcretion think fit.

Allowance for ſickneſs or accidents.

VIII. *ſect.* 8. No perſon ſhall be permitted to practiſe or make uſe of the name of any attorney of any of the ſaid four courts in Dublin, unleſs regularly admitted an attorney in ſome other of ſaid courts; and after the 1ſt day of Trinity term, 1774, it ſhall be lawful for the judges and barons of ſaid courts reſpectively, wherein any perſon not properly qualified preſume to act or practiſe, or make uſe of the name of any attorney as aforeſaid, by order of court to require any perſon ſo making uſe of the name of any attorney, or otherwiſe practiſing without being properly qualified, as alſo any perſon permitting his name to be ſo uſed, and all and every ſuch other perſon or perſons as ſaid judges or barons reſpectively think neceſſary or proper, to appear in open court, and to examine upon oath ſuch perſon or perſons in relation to ſuch practice; and if ſuch unqualified perſon, or ſuch perſon permitting his name to be made uſe of as aforeſaid, ſhall upon ſuch order duly ſerved upon him refuſe or neglect to appear, or if after appearance by voluntary confeſſion, or proof by one or more credible witneſſes upon oath, it ſhall appear, that ſuch perſons have ſo acted or practiſed, or permitted their names to be made uſe of as aforeſaid, it ſhall be lawful for ſaid judges and barons, for every ſuch offence to puniſh ſuch unqualified perſons, or perſons ſo permitting their names to be made uſe of as for a contempt of ſuch court.

None to practiſe or uſe attornies name, unleſs regularly admitted in ſome other court;

judges may order perſons to attend in court, and examine on oath as to practice without being qualified;

not appearing on ſervice of order.

IX. *ſect.* 9. This act ſhall not extend to prevent ſaid judges or barons, or any of them, from examining and enquiring into the character and qualifications of ſuch perſons, as apply to be admitted attornies in their courts, or from admitting or refuſing to admit ſuch perſons in ſuch manner and with diſcretion, as ſaid judges and barons have heretofore in that behalf lawfully uſed.

Judges not prevented from examining, admitting, or refuſing, as before.

## Bakers.

I. *Stat.* 13 & 14 *Geo.* 3. c. 47. *ſect.* 1. After the 1ſt of Auguſt 1774, no perſon ſhall make or bake for ſale, or ſell or expoſe to ſale, any bread within the city of Dublin, or liberties thereof, or within the liberties of Saint Sepulchre's, Thomas Court and Donore, unleſs ſuch perſon ſhall firſt regiſter his or her name and place of abode, in ſome book kept for that purpoſe by the lord mayor and ſeneſchals of ſaid liberties, within their reſpective juriſdictions; in which entries reſpectively ſhall be alſo expreſſed the reſpective times of making ſuch entries.

No perſon to bake for ſale or ſell bread in Dublin or liberties, till regiſtry of name and abode; times of entry expreſſed.

II. *ſect.*

Oath or affirmation before registry.

II. *ſect.* 2. No perſon ſhall be regiſtered in manner before directed, unleſs he or ſhe ſhall ſwear, or, being quakers, affirm, in the following manner,

*I* A. B. *do ſwear, (or ſolemnly affirm,* as the caſe ſhall require,) *that I will not enter into any unlawful combination whatſoever to raiſe the price of bread, or of corn, meal, or flour, or into any unlawful combination not to bake, and that I will not knowingly make, bake, or ſell, or permit to be made, baked, or ſold, for my uſe, any bread in which any other ingredient or mixture ſhall be put, ſave only the genuine flour or meal of the grain, and ſalt, water, and barm, or yeaſt, or eggs, or milk.*

which oath the lord mayor of Dublin, and ſaid ſeneſchals for the time being reſpectively, are impowered and required to adminiſter within their juriſdictions.

Penalty 5l.

III. *ſect.* 3. If any perſon do, or ſhall, after the time aforeſaid make or bake for ſale, or ſell or expoſe to ſale, any bread within the city of Dublin, or liberties thereof, or within the liberties of Saint Sepulchre's, Thomas Court and Donore, without having been regiſtered, and having taken the oath or made the affirmation as before directed, he, ſhe, or they, being thereof convicted in manner after mentioned, ſhall for every ſuch offence forfeit five pounds; to be recovered and applied in manner after directed.

The weight of wheaten or white loaves.

IV. *ſect.* 4. No perſon or perſons ſhall after the time aforeſaid make, or bake, for ſale, or ſell, or expoſe to ſale, within ſaid city or liberties, any loaf or loaves of wheaten or white bread, ſave of the reſpective averdupoiſe weights after mentioned, loaves of wheaten bread to weigh reſpectively at leaſt, eight pounds, ſix pounds, four pounds, and one pound; and loaves of white bread to weigh reſpectively, at the leaſt, ſix pounds, four pounds, two pounds, and one pound.

If weight deficient, penalty as by 1 G. 2 c. 16.

V. *ſect.* 5. If any perſons ſhall, after the time aforeſaid, make, or bake for ſale, or ſell, or expoſe to ſale, within the city of Dublin, or the liberties, or within liberties of Saint Sepulchre's, Thomas Court and Donore, any loaf or loaves of wheaten or white bread, deficient in the weights herein before reſpectively ſet, they, ſo offending in the premiſſes, and being thereof convicted, ſhall forfeit the penalties inflicted by an act of the firſt of George the ſecond.

Bakers name and weight marked on every loaf, or puniſhed as by 1 G. 2. c. 16.

VI. *ſect.* 6. Every perſon who ſhall, after the time aforeſaid, make or bake for ſale, or ſell or expoſe to ſale within the city of Dublin, or liberties, or liberties of Saint Sepulchre's, Thomas Court, and Donore, any ſort of wheaten or white bread, ſhall from time to time cauſe to be fairly imprinted or marked on every loaf of ſuch bread, the name of the baker, and alſo the number of pounds ſuch loaf ſhall weigh; and every perſon, who ſhall ſo make or bake for ſale, or ſhall ſell or expoſe to ſale any loaf or loaves of wheaten or white bread, not ſo marked, ſhall, upon conviction, according to the methdes preſcribed by an act of 1 G. 2. be puniſhed in ſuch manner, and under ſuch penalties, regulations, and allowances, as in ſaid act, in caſes where bread deficient in weight.

Real name of baker not marked, 20s.

VII. *ſect.* 7. If any perſon ſhall make or bake for ſale, or ſell or expoſe to ſale, within city of Dublin or liberties, or liberties of Saint Sepulchre's, Thomas Court and Donore, any loaf of ſuch wheaten or white bread, on which the real name of the perſon, who baked, ſhall not be marked as aforeſaid, being thereof convicted in manner herein mentioned, ſhall

ſhall forfeit for every ſuch offence, twenty ſhillings; to be recovered and applied as herein is mentioned.

VIII. *ſect.* 8. It ſhall be lawful for any perſon lawfully authorized in day time to ſeize and take every loaf of wheaten or white bread, at any time or times found not marked, as before directed, and to carry before the lord mayor, in caſe the ſame be found within the city of Dublin or liberties thereof, or before the ſeneſchals of Saint Sepulchre's, Thomas Court, and Donore, or the liberties thereof reſpectively, in caſe the ſame be found within their reſpective juriſdictions; and if the magiſtrate, before whom any ſuch bread is brought, ſhall find not marked according to directions before mentioned, all ſuch bread, not ſo marked, ſhall be forfeited and given away to the perſon ſeizing and informing, or to and amongſt the poor of the pariſh or place in which ſeized, or in ſuch other manner as the magiſtrate who ſhall judge the ſame to be forfeited, ſhall direct.

Bread not marked ſeized, and carried before the lord mayor or ſeneſchals;

forfeited to informer or poor, or as directed.

IX. *ſect.* 9. It ſhall be lawful for ſaid magiſtrates within their juriſdictions, at all times hereafter, in day time, to enter into any houſe, out-houſe, ſhop, or other place belonging to any perſon who ſhall make or bake for ſale, or ſell any bread, and there to ſearch and examine into the ingredients they find any ſuch perſon uſing in making bread, or which he hath uſed in making bread, and to view, weigh, and try all bread on any ſuch ſearch found; and if on ſuch ſearch any dough or bread ſhall be found, in which any ſuch ingredients, not herein allowed to be uſed, ſhall be made uſe of, it ſhall be lawful for ſuch magiſtrates reſpectively to ſeize ſuch ingredients, dough, and bread, and diſpoſe in ſuch manner as they think fit, and alſo to commit the perſon or perſons in whoſe cuſtody they find ſuch ingredients, dough, or bread, to the common gaol, without bail or mainprize ſuch number of days not exceeding twenty, as ſuch magiſtrates reſpectively according to their diſcretion think fit to order and direct.

Magiſtrates may by day enter places for ſale, ſearch, and examine ingredients, view, weigh, and try, and ſeize if not allowable, and diſpoſe of,

impriſon perſon in whoſe cuſtody, not above 20 days.

X. *ſect.* 10. If any perſons wilfully oppoſe, or obſtruct any ſuch ſearch, he, ſhe, or they, being convicted in manner herein mentioned, ſhall for every ſuch offence forfeit five pounds; to be recovered and applied as herein directed.

Obſtructing ſearch, 5l.

XI. *ſect.* 11. The clerk of the reſpective markets, or ſuch other perſon as authorized or appointed for the purpoſe within the city of Dublin and liberties, and liberties of Saint Sepulchre's, Thomas Court and Donore, ſhall weekly return and certify upon oath to the lord mayor, and ſaid ſeneſchals reſpectively, the quantity of wheat, and flour, and meal of wheat, ſold each market day in ſaid reſpective markets, and the reſpective prices for which ſo ſold; in which certificate ſhall be expreſſed the different ſorts of flour, whether firſts, ſeconds, or thirds, and the prices for which the ſame ſhall be reſpectively ſold; and ſaid lord mayor, and ſeneſchals reſpectively ſhall, from time to time, cauſe entries to be made of ſuch returns in books kept for the purpoſe; and to which all perſons at reaſonable hours may have recourſe without fee or reward.

Market clerks to return weekly, and certify on oath quantity of wheat, and flour, and meal of wheat ſold each market day, and prices and ſorts,

returns entered, recourſe thereto without fee.

XII. *ſect.* 12. If any clerk of ſaid markets, or other perſon legally authorized to make ſuch certificates and returns, ſhall wilfully neglect or omit to make ſuch returns and certificates, or knowingly make any falſe return or certificate, every perſon ſo offending, ſhall, upon conviction, upon oath before ſaid magiſtrates, within their juriſdictions, forfeit and pay for every ſuch offence, any ſum not exceeding five pounds, as ſuch magiſtrate, before whom

On neglect or falſe return, 5l.

whom convicted, ſhall think fit to order; which forfeiture ſhall be applied in manner herein directed.

Weekly return by collector to lord mayor of quantity imported.

XIII. *ſect.* 13. The collector of the port of Dublin ſhall return every week to the lord mayor, an account of the quantity of wheat, flour, and meal of wheat, imported each week into the port of Dublin, with the names of the reſpective perſons importing.

And by factors, &c. on oath, of quantity imported or ſent, and ſold by them,

XIV. *ſect.* 14. Every merchant, factor, or other perſons who ſhall import wheat, flour, or meal of wheat into the port of Dublin, or to whom any meal or flour ſhall be conſigned, or ſent from any part of this kingdom, ſhall return weekly to the lord mayor, upon oath, or affirmation, if quakers, which oath or affirmation ſaid lord mayor is impowered and required to adminiſter, an account in writing of the reſpective quantities of wheat, meal, and flour of wheat by them imported, or ſent to them from any part of this kingdom in each week; and alſo an account of the quantity of wheat, meal, and flour of wheat, diſtinguiſhing the different ſpecies of flour by them ſold reſpectively during ſuch week, and at what prices reſpectively; to which returns the reſpective merchants, factors, or other perſons making the ſame ſhall ſign their reſpective names, and the time of making the ſame; and in caſe ſaid lord mayor ſhall ſuſpect the truth of ſuch returns, it ſhall be lawful to ſummon ſuch merchant, factor, or other perſon to attend before him, and to examine touching the truth of ſuch return, upon oath, or being quakers, upon affirmation; and in caſe any ſuch merchant, factor, or other perſon ſhall make a falſe return, or refuſe or wilfully neglect to make ſuch return, or obſtruct ſaid lord mayor in making ſuch ſearch, being convicted in manner herein mentioned, ſhall forfeit for every ſuch offence five pounds; recovered and applied as herein mentioned.

diſtinguiſhing ſpecies and prices, and ſign returns and the times; lord mayor may ſummon and examine truth of returns; for neglect, or falſe return, or obſtructing ſearch, 5l.

Entries of returns and of middle price of wheat kept at tholſel, and reſorted to.

XV. *ſect.* 15. Said lord mayor ſhall cauſe entries of all ſuch returns, and alſo of the middle price of wheat, having reſpect not only to the price of all wheat, meal, and flour of wheat, ſold in ſaid markets, but alſo of all wheat, meal, and flour of wheat ſold by the merchant, factor, or other perſon importing, or to whom ſent from any part of this kingdom, to be made weekly in books kept at the tholſel or market-houſe for that purpoſe, and to which all perſons at ſeaſonable hours, may have recourſe without paying any fee or reward.

Aſſize and weight of houſehold bread by the table annexed, reſpecting middle price of wheat and flour, allowance to baker not under 11s 2 quarter.

XVI. *ſect.* 16. Said lord mayor and ſeneſchals, ſhall, from time to time, aſcertain within their juriſdictions, the aſſize and weight of houſehold bread, according to the table of aſſize hereunto annexed, having reſpect to the middle price of wheat and middle price of flour, and to make ſuch allowance to the baker as they ſhall think fit, not leſs than eleven ſhillings each quarter.

When aſſize ſtruck and publiſhed as by 1 G. 2. c. 16. bakers acting contrary, ſubject to penalties therein.

XVII. *ſect.* 17. When any aſſize ſtruck by ſaid lord mayor and ſeneſchals within their juriſdictions, purſuant to directions of this act, and publiſhed as directed by an act 1 G. 2. every baker or ſeller of bread, who ſhall act contrary to the orders for ſuch aſſize ſo ſtruck and publiſhed, ſhall, upon conviction, in manner in ſaid act mentioned, ſubject to like penalties; recovered and applied in ſame manner, as inflicted by ſaid act upon perſons baking or ſelling bread contrary to directions of ſaid act.

If bread raiſed by taking flour into aſſize, ſtruck on middle price of wheat only;

XVIII. *ſect.* 18. In caſe the lord mayor and ſeneſchals reſpectively in ſtriking ſuch aſſize ſhall find it will raiſe the price of bread to take flour into the aſſize, they ſhall reſpectively ſtrike the aſſize upon the middle price of wheat only; but if they ſhall find, the price of bread will be leſſened by taking

ing flour into the aſſize, the aſſize ſhall be ſtruck according to the middle price both of wheat and the medium price of all kinds of flour brought to the market taken together; and twenty-eight ſtone and a half of ſuch flour ſhall be deemed equal to a quarter of wheat.

if leſſened, ſtruck by middle price of wheat and medium of all kind of flour in market together; 28 ſtone and a half equal to a quarter of wheat.

XIX. *ſect.* 19. The ſeveral laws now in force relative to the aſſize of bread, ſo far only as inconſiſtent with this preſent act, repealed; and in caſe any perſon ſued or otherwiſe impeached for any thing done in execution of this act, defendant may plead the general iſſue, and give the ſpecial matter in evidence; and if a verdict ſhall paſs for defendant, or plaintiff non-ſuited, or judgment for defendant in ſuch ſuit, ſuch defendant ſhall recover treble coſts.

Laws as to bread aſſize repealed only where inconſiſtent with this; general iſſue, and ſpecial matter in evidence; treble coſts to defendants on non-ſuit, &c.

XX. *ſect.* 20. The ſeveral penalties and forfeitures before mentioned, except as herein before otherwiſe provided, ſhall be recovered upon conviction by confeſſion, or by the oath, or (if the perſon be of the people called quakers) by affirmation, of one or more credible witneſſes, before ſaid lord mayor, or ſaid ſeneſchals, within their reſpective juriſdictions; levied by diſtreſs upon the goods and chattles of every ſuch offender by warrant from ſaid lord mayor or ſeneſchals reſpectively, before whom ſuch conviction ſhall be, returning overplus; ſaid forfeitures to be diſtributed amongſt the poor as ſaid lord mayor or ſeneſchals reſpectively ſhall direct.

Penalties except otherwiſe directed, recovered before lord mayor or ſeneſchals; levied by diſtreſs; forfeitures to the poor.

XXI. *ſect.* 21. No perſon ſhall be proſecuted for any offence againſt this act, unleſs ſuch proſecution commenced within three calendar months after.

Proſecution in 3 months.

XXII. *ſect.* 22. Nothing herein ſhall be conſtrued to prohibit the baking or ſelling French rolls, in ſuch manner as has been accuſtomed.

French rolls excepted.

XXIII. *ſect.* 23. If any loaf, after it has come out of the oven, ſhall not be of the proper weight, and it ſhall appear by oath or oaths of any journeyman, or other credible witneſſes, before the lord mayor, the chief magiſtrate or magiſtrates, juſtice or juſtices of peace, and ſaid ſeneſchals within their reſpective liberties, that ſuch loaf was, at the time the ſame was put into the oven, of equal weight with any other loaf of the ſame kind of bread baked at ſame time, and in ſame oven, and which ſhall appear to have the due and proper weight, ſuch loaf ought to have, there ſhall be no fine paid for the deficiency of ſuch loaf, in caſe the ſame ſhall be good bread in every other reſpect; but the ſame ſhall and may be forfeited, at diſcretion of the lord mayor, or chief magiſtrate or magiſtrates, juſtice or juſtices, and ſeneſchals, within their reſpective liberties.

On oath of loaf being of equal weight with the reſt when put into oven, of proper weight, no fine for deficiency if good in other reſpects; forfeited at diſcretion.

XXIV. *ſect.* 24. Said recited act, ſo far as not hereby altered, and alſo one other act 29 G. 2. intituled, *an act for reviving and amending the ſeveral acts therein mentioned*; ſo far as ſaid acts relate to regulating the price and the ſize of bread, and regulating the markets, except ſuch parts thereof as not hereby altered, and alſo this act, ſhall be and continue in full force, from firſt of Auguſt 1774, for two years, and from thence to the end of then next ſeſſion, and no longer.

1 G. 2. c. 16. and 29 G. 2. c. 11. ſo far as not altered, and this act, continued 2 years, &c. from 1 Aug. 1774.

A

# TABLE

## Of the ASSIZE of BREAD,

In Pounds, Ounces, and Drachms, Averdupoiſe Weight.

Note. The Ounce is divided into Eight Drachms.

| Price of the Quarter of Wheat. | HOUSEHOLD LOAF: | | | |
|---|---|---|---|---|
| | Penny. | 4 Penny. | 6 Penny. | 12 Penny. |
| l. s. d. | lb. oz. drs. | lb. oz. drs. | lb. oz. drs. | lb. oz. drs. |
| 1 0 0 | 2 5 1 | 9 4 2 | 13 14 4 | 27 13 0 |
| 1 0 6 | 2 4 1 | 9 0 6 | 13 9 0 | 27 2 0 |
| 1 1 0 | 2 3 2 | 8 13 2 | 13 3 7 | 26 7 6 |
| 1 1 6 | 2 2 4 | 8 10 0 | 12 15 0 | 25 14 0 |
| 1 2 0 | 2 1 6 | 8 6 6 | 12 10 2 | 25 4 4 |
| 1 2 6 | 2 1 0 | 8 3 2 | 12 5 6 | 24 11 4 |
| 1 3 0 | 2 0 2 | 8 1 0 | 12 1 4 | 24 3 0 |
| 1 3 6 | 1 15 4 | 7 14 2 | 11 13 13 | 23 10 6 |
| 1 4 0 | 1 14 7 | 7 11 4 | 11 9 3 | 23 2 6 |
| 1 4 6 | 1 14 2 | 7 9 2 | 11 5 5 | 22 11 2 |
| 1 5 0 | 1 13 5 | 7 6 6 | 11 2 0 | 22 4 0 |
| 1 5 6 | 1 13 1 | 7 4 2 | 10 14 4 | 21 13 0 |
| 1 6 0 | 1 12 4 | 7 2 0 | 10 11 0 | 21 6 0 |
| 1 6 6 | 1 12 0 | 7 0 0 | 10 7 0 | 20 14 0 |
| 1 7 0 | 1 11 4 | 6 13 6 | 10 4 6 | 20 9 4 |
| 1 7 6 | 1 11 0 | 6 11 6 | 10 1 6 | 20 3 4 |
| 1 8 0 | 1 10 4 | 6 10 0 | 9 14 7 | 19 13 6 |
| 1 8 6 | 1 10 0 | 6 8 0 | 9 12 1 | 19 8 2 |
| 1 9 0 | 1 9 5 | 6 6 2 | 9 9 4 | 19 3 0 |
| 1 9 6 | 1 9 1 | 6 4 4 | 9 6 7 | 18 13 6 |
| 1 10 0 | 1 8 6 | 6 2 6 | 9 4 3 | 18 8 6 |
| 1 10 6 | 1 8 2 | 6 1 2 | 9 1 7 | 18 3 6 |
| 1 11 0 | 1 7 7 | 5 15 6 | 8 15 4 | 17 15 0 |
| 1 11 6 | 1 7 4 | 5 14 2 | 8 13 2 | 17 10 4 |

| Price of the Quarter of Wheat. | HOUSEHOLD LOAF. | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Penny. | | | 4 Penny. | | | 6 Penny. | | | 12 Penny. | | |
| l. s. d. | lb. oz. drs. | | | lb. oz. drs. | | | lb. oz. drs. | | | lb. oz. drs. | | |
| 1 12 0 | 1 | 7 | 1 | 5 | 12 | 6 | 8 | 11 | 0 | 17 | 6 | 0 |
| 1 12 6 | 1 | 6 | 7 | 5 | 11 | 2 | 8 | 8 | 7 | 17 | 1 | 6 |
| 1 13 0 | 1 | 6 | 4 | 5 | 9 | 6 | 8 | 6 | 6 | 16 | 3 | 4 |
| 1 13 6 | 1 | 6 | 1 | 5 | 8 | 4 | 8 | 4 | 6 | 16 | 9 | 4 |
| 1 14 0 | 1 | 5 | 6 | 5 | 7 | 2 | 8 | 2 | 7 | 16 | 5 | 6 |
| 1 14 6 | 1 | 5 | 4 | 5 | 6 | 0 | 8 | 1 | 0 | 16 | 2 | 0 |
| 1 15 0 | 1 | 5 | 1 | 5 | 4 | 6 | 7 | 15 | 1 | 15 | 14 | 2 |
| 1 15 6 | 1 | 4 | 7 | 5 | 3 | 4 | 7 | 13 | 3 | 15 | 10 | 6 |
| 1 16 0 | 1 | 4 | 5 | 5 | 2 | 4 | 7 | 11 | 5 | 15 | 7 | 2 |
| 1 16 6 | 1 | 4 | 2 | 5 | 1 | 2 | 7 | 9 | 7 | 15 | 3 | 6 |
| 1 17 0 | 1 | 4 | 0 | 5 | 0 | 2 | 7 | 8 | 2 | 15 | 0 | 4 |
| 1 17 6 | 1 | 3 | 6 | 4 | 15 | 0 | 7 | 6 | 5 | 14 | 13 | 2 |
| 1 18 0 | 1 | 3 | 4 | 4 | 14 | 0 | 7 | 5 | 1 | 14 | 10 | 2 |
| 1 18 6 | 1 | 3 | 2 | 4 | 13 | 0 | 7 | 3 | 4 | 14 | 7 | 0 |
| 1 19 0 | 1 | 3 | 0 | 4 | 12 | 0 | 7 | 2 | 1 | 14 | 4 | 2 |
| 1 19 6 | 1 | 2 | 6 | 4 | 11 | 0 | 7 | 0 | 5 | 14 | 1 | 2 |
| 2 0 0 | 1 | 2 | 4 | 4 | 10 | 0 | 6 | 15 | 2 | 13 | 14 | 4 |
| 2 0 6 | 1 | 2 | 2 | 4 | 9 | 2 | 6 | 13 | 7 | 13 | 11 | 6 |
| 2 1 0 | 1 | 2 | 0 | 4 | 8 | 2 | 6 | 12 | 4 | 13 | 9 | 0 |
| 2 1 6 | 1 | 1 | 7 | 4 | 7 | 4 | 6 | 11 | 2 | 13 | 6 | 4 |
| 2 2 0 | 1 | 1 | 5 | 4 | 6 | 4 | 6 | 10 | 0 | 13 | 4 | 0 |
| 2 2 6 | 1 | 1 | 4 | 4 | 5 | 6 | 6 | 8 | 6 | 13 | 1 | 4 |
| 2 3 0 | 1 | 1 | 2 | 4 | 5 | 0 | 6 | 7 | 4 | 12 | 15 | 0 |
| 2 3 6 | 1 | 1 | 0 | 4 | 4 | 2 | 6 | 6 | 2 | 12 | 12 | 4 |
| 2 4 0 | 1 | 0 | 6 | 4 | 3 | 2 | 6 | 5 | 1 | 12 | 10 | 2 |
| 2 4 6 | 1 | 0 | 5 | 4 | 2 | 4 | 6 | 4 | 0 | 12 | 8 | 0 |
| 2 5 0 | 1 | 0 | 4 | 4 | 1 | 6 | 6 | 2 | 7 | 12 | 5 | 6 |
| 2 5 6 | 1 | 0 | 2 | 4 | 1 | 2 | 6 | 1 | 6 | 12 | 3 | 4 |
| 2 6 0 | 1 | 0 | 1 | 4 | 0 | 4 | 6 | 0 | 6 | 12 | 1 | 4 |
| 2 6 6 | 0 | 15 | 7 | 3 | 15 | 6 | 5 | 15 | 5 | 11 | 15 | 4 |
| 2 7 0 | 0 | 15 | 6 | 3 | 15 | 0 | 5 | 14 | 4 | 11 | 13 | 0 |
| 2 7 6 | 0 | 15 | 5 | 3 | 14 | 4 | 5 | 13 | 5 | 11 | 11 | 2 |
| 2 8 0 | 0 | 15 | 3 | 3 | 13 | 6 | 5 | 12 | 6 | 11 | 9 | 2 |
| 2 8 6 | 0 | 15 | 2 | 3 | 13 | 0 | 5 | 11 | 6 | 11 | 7 | 4 |
| 2 9 0 | 0 | 15 | 1 | 3 | 12 | 4 | 5 | 10 | 6 | 11 | 5 | 4 |
| 2 9 6 | 0 | 15 | 0 | 3 | 12 | 0 | 5 | 9 | 7 | 11 | 3 | 6 |
| 2 10 0 | 0 | 14 | 6 | 3 | 11 | 2 | 5 | 9 | 0 | 11 | 2 | 0 |
| 2 10 6 | 0 | 14 | 5 | 3 | 10 | 6 | 5 | 8 | 1 | 11 | 0 | 2 |
| 2 11 0 | 0 | 14 | 4 | 3 | 10 | 0 | 5 | 7 | 2 | 10 | 14 | 4 |
| 2 11 6 | 0 | 14 | 3 | 3 | 9 | 4 | 5 | 6 | 3 | 10 | 12 | 6 |
| 2 12 0 | 0 | 14 | 2 | 3 | 9 | 0 | 5 | 5 | 4 | 10 | 11 | 0 |

# Bakers.

| Price of the Quarter of Wheat | | | HOUSEHOLD LOAF. | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | 1 Penny. | | | 4 Penny. | | | 6 Penny | | | 12 Penny. | | |
| l. | s. | d. | lb. | oz. | drs. | lb. | oz. | drs. | lb. | oz. | drs. | lb. | oz. | drs. |
| 2 | 12 | 6 | 0 | 14 | 1 | 3 | 8 | 4 | 5 | 4 | 6 | 10 | 9 | 4 |
| 2 | 13 | 0 | 0 | 14 | 0 | 3 | 8 | 0 | 5 | 4 | 0 | 10 | 8 | 0 |
| 2 | 13 | 6 | 0 | 13 | 7 | 3 | 7 | 4 | 5 | 3 | 1 | 10 | 6 | 2 |
| 2 | 14 | 0 | 0 | 13 | 6 | 3 | 7 | 0 | 5 | 2 | 3 | 10 | 4 | 6 |
| 2 | 14 | 6 | 0 | 13 | 4 | 3 | 6 | 2 | 5 | 1 | 5 | 10 | 3 | 2 |
| 2 | 15 | 0 | 0 | 13 | 3 | 3 | 5 | 6 | 5 | 0 | 7 | 10 | 1 | 6 |
| 2 | 15 | 6 | 0 | 13 | 3 | 3 | 5 | 4 | 5 | 0 | 1 | 10 | 0 | 2 |
| 2 | 16 | 0 | 0 | 13 | 2 | 3 | 5 | 0 | 4 | 15 | 4 | 9 | 15 | 0 |
| 2 | 16 | 6 | 0 | 13 | 1 | 3 | 4 | 4 | 4 | 14 | 6 | 9 | 13 | 4 |
| 2 | 17 | 0 | 0 | 13 | 0 | 3 | 4 | 0 | 4 | 14 | 0 | 9 | 12 | 0 |
| 2 | 17 | 6 | 0 | 12 | 7 | 3 | 3 | 4 | 4 | 13 | 3 | 9 | 10 | 6 |
| 2 | 18 | 0 | 0 | 12 | 6 | 3 | 3 | 0 | 4 | 12 | 6 | 9 | 9 | 4 |
| 2 | 18 | 6 | 0 | 12 | 5 | 3 | 2 | 4 | 4 | 12 | 0 | 9 | 8 | 0 |
| 2 | 19 | 0 | 0 | 12 | 4 | 3 | 2 | 2 | 4 | 11 | 3 | 9 | 6 | 6 |
| 2 | 19 | 6 | 0 | 12 | 3 | 3 | 1 | 6 | 4 | 10 | 6 | 9 | 5 | 4 |
| 3 | 0 | 0 | 0 | 12 | 3 | 3 | 1 | 2 | 4 | 10 | 0 | 9 | 4 | 0 |
| 3 | 0 | 6 | 0 | 12 | 2 | 3 | 1 | 0 | 4 | 9 | 4 | 9 | 3 | 0 |
| 3 | 1 | 0 | 0 | 12 | 1 | 3 | 0 | 4 | 4 | 8 | 7 | 9 | 1 | 6 |
| 3 | 1 | 6 | 0 | 12 | 0 | 3 | 0 | 2 | 4 | 8 | 2 | 9 | 0 | 4 |
| 3 | 2 | 0 | 0 | 11 | 7 | 2 | 15 | 6 | 4 | 7 | 6 | 8 | 15 | 4 |
| 3 | 2 | 6 | 0 | 11 | 7 | 2 | 15 | 2 | 4 | 7 | 1 | 8 | 14 | 2 |
| 3 | 3 | 0 | 0 | 11 | 6 | 2 | 15 | 0 | 4 | 6 | 4 | 8 | 13 | 0 |
| 3 | 3 | 6 | 0 | 11 | 5 | 2 | 14 | 6 | 4 | 6 | 0 | 8 | 12 | 0 |
| 3 | 4 | 0 | 0 | 11 | 4 | 2 | 14 | 2 | 4 | 5 | 4 | 8 | 11 | 0 |
| 3 | 4 | 6 | 0 | 11 | 4 | 2 | 14 | 0 | 4 | 5 | 0 | 8 | 10 | 0 |
| 3 | 5 | 0 | 0 | 11 | 3 | 2 | 13 | 4 | 4 | 4 | 2 | 8 | 8 | 4 |
| 3 | 5 | 6 | 0 | 11 | 2 | 2 | 13 | 0 | 4 | 4 | 0 | 8 | 8 | 0 |
| 3 | 6 | 0 | 0 | 11 | 2 | 2 | 12 | 7 | 4 | 3 | 4 | 8 | 7 | 5 |
| 3 | 6 | 6 | 0 | 11 | 0 | 2 | 12 | 4 | 4 | 2 | 7 | 8 | 5 | 6 |
| 3 | 7 | 0 | 0 | 11 | 0 | 2 | 12 | 0 | 4 | 2 | 2 | 8 | 4 | 4 |
| 3 | 7 | 6 | 0 | 11 | 0 | 2 | 11 | 7 | 4 | 1 | 7 | 8 | 3 | 6 |
| 3 | 8 | 0 | 0 | 10 | 7 | 2 | 11 | 5 | 4 | 1 | 3 | 8 | 2 | 6 |
| 3 | 8 | 6 | 0 | 10 | 7 | 2 | 11 | 2 | 4 | 0 | 7 | 8 | 1 | 6 |
| 3 | 9 | 0 | 0 | 10 | 6 | 2 | 11 | 0 | 4 | 0 | 4 | 8 | 1 | 0 |
| 3 | 9 | 6 | 0 | 10 | 6 | 2 | 10 | 5 | 4 | 0 | 0 | 8 | 0 | 0 |
| 3 | 10 | 0 | 0 | 10 | 5 | 2 | 10 | 3 | 3 | 15 | 4 | 7 | 15 | 0 |
| 3 | 10 | 6 | 0 | 10 | 5 | 2 | 10 | 0 | 3 | 15 | 1 | 7 | 14 | 2 |
| 3 | 11 | 0 | 0 | 10 | 4 | 2 | 9 | 6 | 3 | 14 | 5 | 7 | 13 | 2 |
| 3 | 11 | 6 | 0 | 10 | 3 | 2 | 9 | 4 | 3 | 14 | 2 | 7 | 12 | 4 |
| 3 | 12 | 0 | 0 | 10 | 3 | 2 | 9 | 1 | 3 | 13 | 6 | 7 | 11 | 4 |
| 3 | 12 | 6 | 0 | 10 | 2 | 2 | 8 | 7 | 3 | 13 | 3 | 7 | 10 | 6 |

# Bakers.

| Price of the Quarter of Wheat. | HOUSEHOLD LOAF. | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Penny. | | | 4 Penny. | | | 6 Penny. | | | 12 Penny. | | |
| l. s. d. | lb. | oz. | drs. | lb. | oz. | drs. | lb. | oz. | drs. | lb. | oz. | drs. |
| 3 13 0 | 0 | 10 | 2 | 2 | 8 | 5 | 3 | 12 | 7 | 7 | 9 | 6 |
| 3 13 6 | 0 | 10 | 1 | 2 | 8 | 3 | 3 | 12 | 4 | 7 | 9 | 0 |
| 3 14 0 | 0 | 10 | 1 | 2 | 8 | 0 | 3 | 12 | 1 | 7 | 8 | 2 |
| 3 14 6 | 0 | 10 | 0 | 2 | 7 | 6 | 3 | 11 | 6 | 7 | 7 | 4 |
| 3 15 0 | 0 | 9 | 7 | 2 | 7 | 4 | 3 | 11 | 2 | 7 | 6 | 4 |
| 3 15 6 | 0 | 9 | 7 | 2 | 7 | 2 | 3 | 11 | 0 | 7 | 6 | 0 |
| 3 16 0 | 0 | 9 | 6 | 2 | 7 | 0 | 3 | 10 | 4 | 7 | 5 | 0 |
| 3 16 6 | 0 | 9 | 6 | 2 | 6 | 6 | 3 | 10 | 1 | 7 | 4 | 2 |
| 3 17 0 | 0 | 9 | 5 | 2 | 6 | 4 | 3 | 9 | 6 | 7 | 3 | 4 |
| 3 17 6 | 0 | 9 | 4 | 2 | 6 | 2 | 3 | 9 | 3 | 7 | 2 | 6 |
| 3 18 0 | 0 | 9 | 4 | 2 | 6 | 0 | 3 | 9 | 0 | 7 | 2 | 0 |
| 3 18 6 | 0 | 9 | 3 | 2 | 5 | 6 | 3 | 8 | 5 | 7 | 1 | 2 |
| 3 19 0 | 0 | 9 | 3 | 2 | 5 | 4 | 3 | 8 | 2 | 7 | 0 | 4 |
| 3 19 6 | 0 | 9 | 3 | 2 | 5 | 2 | 3 | 8 | 0 | 7 | 0 | 0 |
| 4 0 0 | 0 | 9 | 2 | 2 | 5 | 0 | 3 | 7 | 5 | 6 | 15 | 2 |

# Chalkers.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 45. *ſect.* 1. If any perſon or perſons on purpoſe, and of malice, forethought, and by lying in wait, or watching, or waiting for the opportunity, after the 24th of June 1774, with any knife, or other ſharp weapon, ſhall cut or ſtab any perſon or perſons in the face, or in any limb or member, or in any part of the body, with intent in ſo doing to murder, rob, or maim, or to diſable or disfigure him, her, or them, the perſons ſo cutting or ſtabbing, counſellors, aiders, and abettors, knowing of, and privy to the offence as aforeſaid, ſhall be felons, and ſhall ſuffer death, as in caſes of felony, without the benefit of clergy.

To cut or ſtab with intent to murder, rob, or maim, diſable, or diſfigure, felony,

ſo of abettors privy, &c.

II. *ſect.* 2. No attainder of ſuch felony ſhall extend to corrupt blood, or forfeit dower of the wife, or lands, goods, or chattles of offenders.

No forfeiture or corruption of blood.

III. *ſect.* 3. This act ſhall continue four years from the twenty-fourth of June next.

Continued 4 years from 24 June.

# Churches.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 10. *ſect.* 1. In every pariſh or union, or parochial chappelry, a veſtry ſhall be held for making a pariſh ceſs or tax, to be applied to repairs of the pariſh church or chappel, and for other neceſſary charges belonging to ſuch church or chappel, in the year 1774 on the firſt Monday, or on the firſt Tueſday in July, and in every ſucceeding year in Eaſter-week, on ſome day ſubſequent to the election or nomination of churchwardens; and notice ſhall be given of the meeting of ſuch veſtry on the Sunday preceding after divine ſervice; at which veſtry it ſhall be lawful for the pariſhioners thus aſſembled, that are of the communion of the church of Ireland by law eſtabliſhed, or the major part of them, to vote for and aſſeſs

Parochial veſtries for a ceſs to repair the church or chapel, and for neceſſary charges held at Eaſter after election of churchwardens, notice the Sunday before;

voted by major part of pariſhioners aſſembled of the communion of the church of Ireland,

to repair the church, yard, and precincts,

and for neceſſaries and requiſites,

as pariſh ceſs in veſtry by the laws in being.

2 or more pariſhioners in veſtry appointed applotters, annually,

applotment on oath before a juſtice equally and fairly,

ſubſcribed by applotters,
delivered to miniſter or curate;
notice the firſt Sunday after a general veſtry in 10 days to examine,
majority of proteſtants to hear, object, and aſcertain;

2 parts made and ſubſcribed, one for miniſter and pariſhioners, the other for churchwardens, who ſhall levy as by 12 G. 1. c. 9.
applied as ordered,

ſeſs on the pariſhioners at large of each pariſh, union, and chappelry reſpectively, ſuch ſum and ſums yearly, as to them ſhall ſeem neceſſary and proper for the repairs and preſervation of the church or chappel reſpectively belonging to ſuch pariſh, union, or chappelry, and of the church-yard, entrance, and precincts of the ſaid church or chappel, and for providing, and preſerving from time to time, ſuch uſeful and decent requiſites as have been found neceſſary for the regular performance of divine ſervice according to the eſtabliſhed rights and cuſtoms of the church of Ireland, and for the providing all ſuch neceſſaries and requiſites, as the pariſhioners of any pariſh aſſembled in veſtry by the laws now in being are enabled to provide for by a pariſh ceſs.

II. *ſect.* 2. It ſhall be lawful for ſaid pariſhioners of the eſtabliſhed church ſo aſſembled in veſtry, or the major part, to nominate and appoint two or more pariſhioners of each pariſh, union, or chappelry reſpectively, applotters for ſaid pariſh, union, or chappelry, who ſhall continue in office to the ſubſequent election of applotters in every year; and ſuch applotters ſhall applot ſaid ſeveral ſums ſo voted and aſſeſſed upon each pariſh, union, or chappelry reſpectively, at large, and ſhall within reaſonable time after ſaid applotment declare upon oath before ſome juſtice of the county, in which ſuch pariſh ſituated, that ſaid applotment is equally and fairly made upon the ſeveral pariſhioners and landholders according to their reſpective holdings to the beſt of their ſkill and knowledge; which applotment, ſubſcribed by ſaid applotters, ſhall be delivered to the miniſter or curate of each pariſh, union, or chappelry reſpectively, who, the firſt Sunday after he ſhall have received the ſame, ſhall after divine ſervice in the morning give publick notice of a general meeting of the pariſhioners of every ſuch pariſh, union, or chappelry reſpectively, in veſtry, within ten days after ſuch notice, in order to have the ſaid applotment examined into; at which veſtry of the pariſhioners at large, ſo ſummoned, the major part of the proteſtant inhabitants aſſembled ſhall have full power to hear all parties, who ſhall object to ſaid applotment, and to make ſuch alterations and amendments, as to them ſeem juſt and reaſonable, and then finally to ſettle and aſcertain the ſame; and after the ſame ſo ſettled and aſcertained, they ſhall cauſe two diſtinct parts or tranſcripts thereof to be made, each ſubſcribed by the miniſter, the church-wardens, or two of the applotters, and three of the proteſtant pariſhioners then preſent; one part whereof ſhall remain with the miniſter and pariſhioners, the other delivered to the church-wardens, who ſhall with all convenient expedition proceed to collect and levy the ſame, in manner preſcribed in an act of 12 G. 1. and the money, when ſo levied, ſhall be applied to the uſes, for which it was ordered. And in caſe the ſaid applotment ſhall not be finally ſettled and aſcertained in the general meeting of the proteſtant pariſhioners in veſtry aſſembled as aforeſaid, two diſtinct parts or tranſcripts ſhall be made of the applotment delivered in on oath of the annual applotters, each ſubſcribed by the miniſter, the church-wardens, or two of ſaid applotters, and three proteſtant pariſhioners then preſent; one part whereof ſhall remain with the miniſter and pariſhioners, the other delivered to the church-wardens, who ſhall with all convenient expedition proceed to collect and levy in manner before directed; and ſaid applotments, ſubſcribed as aforeſaid, ſhall be ſufficient evidence to charge the church-wardens with the ſeveral ſums in ſaid applotments, in caſe they ſhall neglect or refuſe to collect any pariſh ceſs as aforeſaid, or to pay the balance of their

ſaid applotments evidence to charge churchwardens, as by 3 G. 2. c. 11.

accounts,

accounts, ſtated, as is directed by an act of George the ſecond, intituled, *an act for the better keeping churches in repair.*

III. *ſect.* 3. In caſe of caſual and unexpected damage to any church or chappal wherein divine ſervice according to the liturgy of the church eſtabliſhed is celebrated, the miniſter or curate of every pariſh, union, or chappelry, is authorized and required to ſummon the veſtry after divine ſervice on the Lord's day, two or three days at leaſt before ſuch meeting; at which veſtry it ſhall be lawful for the pariſhioners thus aſſembled, of the communion of the church of Ireland by law eſtabliſhed, or the major part, to vote for and aſſeſs on the pariſhioners at large of each pariſh, union, or chappelry reſpectively ſuch ſum as ſhall be judged neceſſary for ſuch immediate repairs, or other neceſſary and unforeſeen occaſions, provided the ſame ſhall not exceed in the whole ten pounds; which ſum ſo voted and aſſeſſed, ſhall be applotted and levied in ſame manner as money voted and aſſeſſed at the Eaſter veſtry herein before directed to be applotted and levied.

On caſual damage to churches, veſtry ſummoned after ſervice, 2 or 3 days previous, and ſum aſſeſſed and levied as aforeſaid, not exceeding 10l. for immediate repair.

IV. *ſect.* 4. Every perſon, duly elected or nominated a church-warden, after ſix weeks, computed from the date of the entry of his election or nomination in the veſtry book of every pariſh, union, or chappelry, ſhall be deemed and taken the legal church-warden of ſuch pariſh, union, or chappelry, to all intents and purpoſes of this act, and of the ſeveral acts now in force for better keeping churches in repair, although ſuch church-warden neglected or refuſed to take the uſual oath of office in manner preſcribed by law; and ſaid election or nomination ſhall be entered in the veſtry-book of every pariſh, union, or chappelry, ſigned by the miniſter or curate, and three pariſhioners then preſent, at leaſt; and ſaid act of veſtry ſo ſigned ſhall be conſidered and received as concluſive evidence of ſuch election or nomination, although not ſigned by ſaid church-wardens, or either of them.

Church-wardens not taking oath of office, deemed legal after 6 weeks from entry of election in veſtry-book,

election entered, and ſigned by miniſter and 3 pariſhioners,

concluſive evidence of election.

V. *ſect.* 5. Nothing in this act ſhall extend to take away from the force of an act of George the ſecond, or of any other law or ſtatute now in force, relating to the building or repairing churches; but the ſame ſhall continue in force, as if this act never made, unleſs where amended and altered by this act.

3 G. 2. c. 11, &c. in force, ſave as altered.

## Clerks.

*Stat.* 13 & 14 *Geo* 3. *cap.* 41. *ſect.* 8. An act thirty-third of George the ſecond, for reviving and amending an act the twenty-third, ſo far as the ſame relates to the more eaſy providing a maintenance for pariſh clerks, continued to twenty-fourth of June 1780, and to end of then next ſeſſion.

33 G. 2. c. 11. continued to 24th June 1780, &c.

## Coaches, &c.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 2. *ſect.* 10. For better collecting ſaid duty chargeable on every perſon who ſhall keep any carriages with four wheels (except as before excepted) every perſon, who after the 25th of December 1773, ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, ſhall within three calendar months after, or within three calendar months after he or ſhe ſhall have or keep any ſuch, by writing under his or her hand certify to the collector of exciſe, in ſome one of the diſtricts where he or ſhe ſhall reſide or dwell, within the time aforeſaid, a true account of every ſuch which he or ſhe ſhall have or keep (except hackney or ſtage

Certificates of coaches, &c given to exciſe collectors in 3 months.

with place of abode,

regiſtered alphabetically,
copies without fee,

numbered,

liſts given yearly before 25 Dec. of coaches, and abode to collectors of the duty.

levied as hearth-money,
acquittances without fee,
duplicates kept and returned,

paid in diſtrict where regiſtered.

not certifying coaches, &c. penalty 20l.

as by 14 & 15 C. 2. c. 8.

Perſons keeping charged as owners.

Said duty paid to collectors of the diſtricts,
diſtinct accounts kept,
paid to the treaſury.

Metal plates prepared by commiſſioners, numbered, and marked.

ſent to collectors to be delivered to perſons certifying coaches, as by 13 & 14 G. 3. c. 1. § 2.

ſtage coaches, and by coach-makers for ſale) with the name of the place and pariſh of reſidence or abode at the time; which certificate ſhall be kept by the collectors, and alſo entered or regiſtered in an alphabetical book, by them reſpectively kept for that purpoſe; and a copy of ſuch entry, ſigned by ſuch collector or his clerk, delivered, if required, without fee or reward, to the perſon delivering ſuch certificate; and a number entered on each certificate ſo regiſtered; and ſaid collectors ſhall under their hands on or before the 25th of December in every year give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, returned to them in ſuch certificates, with names of perſons, and places of abode in ſuch certificates, to the perſons appointed by the commiſſioners of exciſe, or any three, to collect ſaid duties; and ſuch perſons appointed, ſhall have full power and authority to levy, collect, and receive the ſame within the diſtrict, where the certificate entered, in the ſame manner as his majeſty's revenue from fire-hearths is now by law levied, and ſhall ſign and deliver acquittances without fee or reward, and keep duplicates in a book for that purpoſe, as acquittances are given and kept for duty of fire-hearths, and return the book to ſuch perſons, and at the ſame time, and to be diſpoſed of in ſame manner, as books containing duplicate of acquittances for duty on fire-hearths; and the duties ſhall be paid in the diſtricts wherein ſaid carriages entered or regiſtered reſpectively, and in no other.

II. *ſect.* 11. If any perſon ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, chargeable with ſaid duty, not certified as aforeſaid, every ſuch perſon ſhall for ſuch neglect forfeit twenty pounds; ſued for, recovered, levied, and applied, as preſcribed by an act in the fourteenth and fifteenth years of king Charles the ſecond, *for the ſettling of the exciſe or new impoſt.*

III. *ſect.* 12. Provided, that every perſon, (except as before excepted) having in keeping or poſſeſſion any coach, chariot, berlin, calaſh, or chaiſe with four wheels, belonging to another, ſhall be charged for every ſuch with ſaid duty as the owner or proprietor is or ought to be charged by this act.

IV. *ſect.* 13. Perſons impowered to collect and levy ſaid duty on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, ſhall pay the ſame to the collectors of the diſtricts where ſaid duties collected and raiſed; and ſaid collectors ſhall keep ſeparate and diſtinct accounts, and pay the ſame into his majeſty's treaſury as other money received by them for uſe of his majeſty.

V. *Stat.* 13 & 14 *Geo.* 3. *cap.* 8. *ſect.* 7. Small pieces or plates of braſs or other metal, ſhall be prepared by the direction of the chief commiſſioners of revenue, or any three or more, numbered in arithmetical progreſſion, beginning with one, with ſuch mark or marks thereupon, as ſaid commiſſioners ſhall think proper, to diſtinguiſh and identify the ſame; and a ſufficient number of ſaid plates, ſo marked and numbered, ſhall be ſent to the collector of every diſtrict, to be delivered out to every perſon, who has certified or ſhall certify any coach, chariot, berlin, calaſh, or chaiſe upon four wheels, or chaiſe with two wheels, purſuant to an act this ſeſſion, intituled, *An act for granting unto his majeſty a duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned, and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns, except of the manufacture of Great Britain*; and alſo purſuant to a further act this ſeſſion,

ſion, intituled, *An act for granting unto his majeſty the ſeveral duties, rates, impoſitions, and taxes therein particularly expreſſed, to be applied to pay an intereſt at the rate of four* per centum per annum, *for ſuch part of the ſeveral principal ſums formerly borrowed, as ſhall remain unpaid on the twenty-fifth day of December* 1773, *and to apply the ſurplus of the ſaid duties in ſuch manner, and for ſuch purpoſes as ſhall be directed by parliament*; which plate ſhall be fixed upon the tranſom of every ſuch coach, chariot, berlin, calaſh, or chaſe.

fixed on the tranſom.

VI. *ſect.* 8. If any ſuch coach, chariot, berlin, calaſh, or chaiſe, ſhall after the twenty-fourth of June next, be found (except hackney or ſtage-carriages, and carriages kept by coach-makers for ſale) and hackney-chaiſes, and chaiſes with two wheels (kept by the maker for ſale) without ſuch plate ſo fixed, the want of ſuch plate ſhall be deemed ſufficient evidence that ſuch coach, chariot, berlin, calaſh, and chaiſe upon four wheels, and chaiſe with two wheels, has not been certified as required by ſaid act; and every owner of ſuch coach, chariot, berlin, calaſh, or chaiſe, ſhall without further evidence be liable to penalties inflicted by ſaid acts, upon any perſon who ſhall neglect to certify in manner directed by ſaid acts; to be recovered as by ſaid acts directed, unleſs ſuch owner prove, ſuch coach duly certified purſuant to ſaid acts, and that ſuch plate had been fixed thereupon purſuant to this act.

If none, ſufficient evidence of no certificate;

proof on owner.

## Colliers and Miners.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 41. *ſect.* 9. A clauſe in an act of the firſt of his preſent majeſty, relative to colliers and miners who abſent themſelves in breach of contract without licence or diſcharge, afterwards continued with amendment, by fifth of his preſent majeſty further continued to 24th of June 1778, and to end of then next ſeſſion.

Clauſe in 1 G. 3. c. 17. ſect. 17, continued to 24 June 1778, &c.

## Corn, &c.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 11. *ſect.* 1. After the twenty-fourth of June 1774, whenever the prices of middling Iriſh wheat, at the ports or places where the ſame ſhall be exported, ſhall appear, according to the methods directed by an act of 29th George the ſecond, or as herein after directed by this act, not to exceed one Engliſh ſhilling the ſtone, the price of middling Iriſh rye, peaſe, or beans, twenty-five Engliſh ſhillings the quarter; the price of middling Iriſh oats, nine ſhillings Engliſh the quarter; every merchant or other perſon, who ſhall put on ſhipboard in Britiſh or Iriſh ſhipping, the maſter and two thirds of the mariners at leaſt being his majeſty's ſubjects, any Iriſh wheat, meal or flour, rye, peaſe, beans, oats, or oat-meal, with intent to export beyond ſeas, except to the Iſle of Man, ſhall, after entering into ſuch bond, and performing ſuch other requiſites, as directed by ſaid act, have and receive from the collector or officer of ſuch port reſpectively inſtead of the allowances by ſaid act, the rates, allowances or premiums following, and no more, for every quarter of wheat, ground wheat, meal, or wheat flour, three ſhillings and two pence Engliſh; of rye, peaſe, or beans, ground, or unground, two ſhillings and four pence Engliſh; of oats ground or unground one ſhilling and three pence Engliſh; the ſaid meaſures, except as herein after mentioned, to be aſcertained in ſuch manner as directed by ſaid act; which ſeveral ſums ſuch collector or officer is authorized and required to pay to ſuch exporter upon demand without requiring or taking any cuſ-

When middling Iriſh wheat at ports as by 29 G. 2. c. 9. or this act, exceed not 1s. Engliſh per ſtone, rye, peas, or beans, 25s. per quarter, oats 9s. exporter in Britiſh or Iriſh ſhips (except to Man) the maſter and 2 thirds ſubjects, performing requiſites, ſhall receive premium for wheat, meal, or flour, 3s. 2d per quarter; rye, peaſe, or beans, 2s. 4d. oats 1s. 3d.

paid on demand without fee.

tom, fee, or reward for ſuch corn, meal, or flour, ſo laden to be exported; any law, ſtatute, or uſage to the contrary notwithſtanding.

4 buſhels 224 lb.

II. *ſect.* 2. After the twenty-fourth of June, the half-quarter or four buſhels of wheat, rye, peaſe, beans, meal, and flour of wheat or rye, ſo exported, ſhall contain and be equivalent to two hundred and twenty-four pounds weight: and for greater expedition and aſcertaining the quantity thereof the proper officer attending the ſhipping where ſhipped off in ſacks,

the officer may chuſe, and weigh 2 ſacks out of 20, and compute weight by proportioning;

may make choice of and weigh two ſacks out of any number not exceeding twenty, and ſo in proportion for any greater quantity, before or after the ſame ſhall be put on board, and thereby compute the weight by proportioning the ſame accordingly; and the bounty-money thereupon ſhall be

bounty paid accordingly on his certificate.

paid to exporter for ſo much, and no more, upon his producing a certificate from the proper officer, atteſting the quantity, quality, and weight, according to ſaid computation.

Except from Dublin, or between Drogheda and Wicklow.

III. *ſect.* 3. This act ſhall not extend to, nor any bounty be paid for, any corn, flour, peaſe, beans, oats, or oat-meal, exported from Dublin, or any of the creeks or members thereof, nor from any port, harbour, haven, or place from Drogheda ſouthward to Wicklow.

Continued to 24th June 1779.

IV. *ſect.* 4. Act ſhall continue in force until the twenty-fourth of June, 1779, and no longer.

5 G. 3. c. 19. continued to 24th June 1776, &c.

V. *Stat.* 13 & 14 *Geo.* 3. *cap.* 41. *ſect.* 4. An act fifth of his preſent majeſty, intituled, *An act for the further encouragement of tillage in this kingdom*, continued to the twenty-fourth of June, 1776, and to end of then next ſeſſion.

## Corporations.

Officers, tho' not ſworn in preſence of a number required by charters, deemed legal, on taking the oaths publickly before two members between 10 & 3.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 42. *ſect.* 3. Whereas by charters of ſeveral boroughs and corporations, a majority of members are required to be preſent at ſwearing the portrieve, or chief magiſtrate, no perſon, duly elected into any ſuch office, ſhall be in any ways moleſted, or proſecuted on account of any objection, becauſe there had not been a ſufficient number of burgeſſes, or other members of ſuch borough or corporation preſent at the ſwearing; provided ſuch officer ſhall have taken the oaths required by law in preſence of two of the burgeſſes or members in the publick market-houſe, or toll-houſe, or uſual place of holding aſſemblies of ſuch borough or corporation, between ten in the morning and three in the afternoon; and ſuch officers ſhall be deemed legal officers of ſuch boroughs, or corporations: and all corporate acts, done by them, ſhall have ſame force and effect as if ſuch officers ſworn purſuant to ſaid charters.

## Cyder.

Cyder not retailed without licence.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 2. *ſect.* 6. From the twenty-fifth of December 1773, no perſons whatſoever ſhall ſell or tap out by retail any cyder within this kingdom, but only ſuch as licenſed according to directions of this act, under ſuch penalty as after is expreſſed.

Licence by commiſſioners, and collectors of exciſe,

II. *ſect.* 7. From the 25th of December 1773, it ſhall be lawful for the chief commiſſioners of exciſe, or any three, and the collectors of exciſe in their diſtricts, from time to time, to iſſue and grant ſuch licences for ſelling and

tapping

tapping out cyder by retail; and for every ſuch licence one ſhilling and one penny, and no more, ſhall be paid or demanded as a fee; and if any perſon ſhall, after the twenty-fifth of December 1773, ſell or tap out cyder by retail without ſuch licence, every ſuch perſon ſhall for every time he or ſhe ſhall ſo offend, forfeit and pay five pounds. Fee 1 s. 1 d. penalty 5 l.

III. *ſect.* 8. For better ordering and collecting ſaid duty of one penny *per* gallon upon all cyder ſold, or tapped out by retail, it ſhall be lawful for the gaugers, and officers of exciſe, within their diſtricts, from time to time, after twenty-fifth of December 1773, to enter in the day-time into the houſes, out-houſes, ſtore-houſes, and cellars of every retailer of cyder, and take an account of all cyder found in the poſſeſſion of ſuch retailer, and to charge with ſaid duty accordingly. Exciſe officers may by day enter houſes and cellars of cyder-retailers, take account, and charge 1 d. per gallon.

IV. *ſect.* 9. After the twenty-fifth of December 1773, every retailer of cyder ſhall ſhew to the gauger or officers of exciſe on demand all ſtock of cyder then on hand; and in caſe any ſuch retailer, or his ſervants (in caſe ſuch retailer not preſent when the gauger or officers ſhall come to ſuch retailer's houſe to take ſtock) ſhall refuſe to make declaration, and ſhew all ſtock of cyder on hand, every ſuch retailer ſhall for every ſuch offence forfeit ten pounds; and if ſuch gauger or officers ſhall, after declaration made, find any cyder in the poſſeſſion or cuſtody of ſuch retailer, over and above the quantity ſo ſhewn and declared, ſuch retailer ſhall likewiſe forfeit ten pounds. Retailers to ſhew ſtock on hand, refuſing, penalty 10 l. and 10 l. if any ſurplus found.

## Debtors.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 44. *ſect.* 1. It ſhall be lawful for all perſons, whoſe names are inſerted in the ſchedule hereunto annexed, before the twenty-fourth of June 1775, to exhibit petitions to king's bench or common pleas, ſetting forth the ſeveral matters directed to be ſet forth in petitions of perſons mentioned in the ſchedule annexed to an act the firſt of his preſent majeſty, *for relief of inſolvent debtors*; and the ſaid ſeveral perſons ſhall, upon performing the ſeveral requiſites in ſaid laſt act directed to be performed by perſons in ſchedule thereunto annexed, be intitled to like benefit and relief, and ſubject to ſaid puniſhment in caſe of delivering a falſe and untrue account of their eſtate and effects, or concealing the ſame, as by ſaid laſt act directed; and the eſtates and effects of perſons, whoſe names inſerted in ſchedule hereunto annexed, ſhall be ſubject to all terms and proviſions in ſaid laſt act, with reſpect to eſtates and effects of perſons in ſchedule thereto annexed. Debtors in ſchedule may before 24 June 1775 petition B. R. or C. B. as by 1 G. 3. c. 16. on performing the requiſites, like relief, and puniſhment.

II. *ſect.* 2. Courts of king's bench and common pleas reſpectively inveſted with all like powers, with reſpect to perſons, eſtates, and effects of the debtors named in the ſchedule hereunto annexed, as ſaid courts were by ſaid act for relief of perſons in the ſchedule thereunto annexed. Like powers in B. R. and C. B.

III. *ſect.* 3. None of the perſons, in the ſchedules hereunto annexed, ſhall be intitled to any benefit under this act, unleſs one half in value of the real creditors of ſuch perſons reſpectively ſign a certificate, expreſſing conſent to diſcharge; the truth of which muſt be proved upon oath, and to full ſatisfaction of the court to which ſuch petitions preferred. Certificate of conſent by half in value of real creditors, on oath.

IV. *ſect.* 4. And no perſon ſhall take any benefit by this act, who has made a fraudulent conveyance, or given a preference to any creditor, of his (or her) eſtate, or aſſignment of goods, either previous to, or after failure, or No fraudulent act or preference by debtor.

who has done, or ſuffered to be done, any fraudulent act, tending to defraud creditors, and the ſame ſhall be made to appear to ſatisfaction of the court, in which ſuch debtor's petition depending, by examination *vivâ voce*, or by affidavit, as ſuch court ſhall direct.

## Diſtillers.

Backs or coolers not altered without written notice to exciſe officer,

penalty 5l.

*Stat.* 13 & 14 *Geo.* 3. *cap.* 8. *ſect.* 10. After the twenty-fourth of June 1774, no common diſtiller of ſpirits for ſale ſhall alter, or permit or ſuffer the ſituation, poſition, or dipping-place of any back or cooler, by him made uſe of, to be altered, after the ſame has been fixed by the proper officer, without firſt giving notice thereof in writing to the ſurveyor, or other officer of exciſe of the diſtrict or diviſion, wherein he ſhall reſide, under penalty of five pounds for every ſuch offence, recovered and levied in manner after mentioned.

Permit with name and reſidence of conſignee,

ſpirits, &c. delivered as directed, if otherwiſe, forfeited with the caſk,

II. *ſect.* 11. After the twenty-fourth of June 1774, all permits or let-paſſes for the carriage of ſpirits or ſtrong waters from one place to another, ſhall expreſs the chriſtian and ſirname of the perſons to whom ſent or conſigned, and the place of reſidence, and the ſpirits or ſtrong waters mentioned in ſuch permit or let-paſs ſhall be delivered as directed in ſuch permit or let-paſs, and at no other place or places whatſoever; and if ſuch ſpirits or ſtrong waters ſhall be delivered to any other perſon, except the perſon mentioned in ſuch permit or let-paſs, or his or their known ſervants, or at any other place or places than thoſe mentioned in ſuch permit or let-paſs, or if afterwards carried from the place of the firſt delivery to any other place without renewal of the permit, then, and in either of the ſaid caſes, the ſpirits or ſtrong waters, and the caſk and veſſel in which contained, ſhall be forfeited in ſame manner as if no permit at any time granted for the ſame.

Veſſels licenſed, and regiſtered with the name, place, and contents,

certificate thereof,

or forfeited by poſſeſſor (except brazier, &c.) with the contents, the waſh ſpilled.

Licenſed ſtills of 12 gallons or under for medicinal waters or philoſophical experiments excepted.

III. *ſect.* 12. After the twenty-fourth of June 1774, no perſon whatſoever ſhall have or keep in their cuſtody or poſſeſſion, or ſhall make uſe of any ſtill, black-pot, alembick, or other veſſel, for making or diſtilling any ſpirits or ſtrong waters, before licenſed thereunto by one or more of the chief commiſſioners of revenue of exciſe, and before the ſame be ſet at work, entered and regiſtered in the office of exciſe of the diſtrict, wherein ſuch veſſel is intended to be ſet at work, which entry or regiſtry ſhall contain the chriſtian and ſirname of the perſon to whom ſuch veſſel ſhall belong, and the true contents, and the place where ſuch veſſel is fixed, or intended to be fixed, and day of month and year when ſuch regiſtry is made; and the officer of exciſe ſhall thereupon grant a certificate thereof to the perſon making entry of the ſame; and if any ſtill, black-pot, alembick, or other veſſel uſed for making or diſtilling ſpirits or ſtrong waters, ſhall, after the twenty-fourth of June 1774, be found or diſcovered in the houſe or poſſeſſion of any perſon or perſons (except a brazier, or other manufacturer in metal) not entered or regiſtered in manner aforeſaid, then every ſuch veſſel ſhall be forfeited and ſeized, and all the waſh and pot-ale found therein ſhall be ſpilled; and all low wines and ſtrong waters found therein ſhall likewiſe be forfeited.

IV. *ſect.* 13. Nothing herein contained ſhall extend to ſuch ſtills, black-pots, or alembicks of the dimenſion of twelve gallons or under, as have been or ſhall be licenſed by the commiſſioners of revenue of exciſe, or any three or more, for diſtilling certain waters, commonly called medicinal waters,

ters, or for making experiments and diſcoveries in natural philoſophy; any thing herein to the contrary notwithſtanding.

## Drugs.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 41. *ſec.* 3. An act the firſt of his preſent majeſty, *for preventing frauds in drugs and medicines*; continued to the 24th of June 1781, and to end of then next ſeſſion, and no longer.

1 G. 3. c. 14 continued to 24 June 1781, &c.

## Dublin.

*Stat.* 13 & 14 *Geo.* 3. *cap.* 22. *ſect.* 1. Whereas the ſtreets, quays, alleys, yards, courts, ſquares, bridges, and lanes, in the city and county of city of Dublin, and other places herein after mentioned, are not properly pitched or paved: and the preſent methods preſcribed by law for paving ſaid places, are ineffectual, and it would tend greatly to the free intercourſe, health, and ſafety of inhabitants of ſaid places, and of all perſons paſſing through, if the pavements thereof are properly pitched, paved, and regulated: therefore the lord chancellor, archbiſhop of Dublin, chief juſtice of king's bench, and common pleas, chief baron of exchequer, ſpeaker of the houſe of commons, provoſt, and vice-provoſt of Trinity-College, lord mayor, recorder, ſheriffs, and repreſentatives of city of Dublin, county of Dublin, the high ſheriff of county of Dublin, lord of the manor of Thomas-court and Donore, with the ſeneſchal, ſeneſchal of ſaint Sepulchre's, dean of Chriſt-church, and ſaint Patrick's, and their ſucceſſors, fifteen aldermen, and fifteen common-council-men of the corporation of Dublin, elected as after mentioned; with the duke of Leinſter, earl of Charlemont, lord viſcount Ranelagh, John Beresford, James Forteſcue, James Agar, Thomas Adderly, William Burton, Barry Barry, William Colvil, John Dillon, John Burke the younger, William Dean, Joſeph Henry, Travers Hartley, David Latouche the younger, John Leigh, John Monck Maſon, Redmond Morres, Andrew Caldwell, Charles O'Hara, major Vallancey, Ralph Ward, William Gleadowe, William Dunn, Agmondiſham Veſey, ſir John Parnell, John Foſter, Robert Hellen, Benjamin Houghton, Lodge Morres, Sydenham Singleton, Robert Thorp, Edward Strettel, James Sommerville, Warden Flood, and Sir Edward Newenham, and the ſeveral perſons ſucceſſively choſen in manner after mentioned, ſhall hereafter be commiſſioners for carrying this act into execution.

Commiſſioners named for executing this act.

II. *ſect.* 2. Within ten days after paſſing this act, the lord mayor ſhall in the uſual manner convene aſſembly or common council of ſaid city, for electing by ballot fifteen aldermen and fifteen common-council-men as commiſſioners; which commiſſioners, after elected and choſen, ſhall continue to act till the 24th of June 1777; when the lord mayor and board of aldermen, the ſheriffs and commons, ſhall elect to be of the ſaid commiſſioners ſo many and ſuch perſons, as they are impowered to elect, in the place of the perſons ſo formerly elected; and ſuch perſons ſhall be, and are impowered to act as, commiſſioners for three years; and ſaid commiſſioners ſhall by ſaid manner of election be continued and renewed from three years to three years during continuance of this act; and when any vacancy ſhall happen either by death, diſability, or reſignation of any of ſaid perſons ſo elected, the lord mayor and board of aldermen, ſheriffs and commons, ſhall within fourteen days after vacancy elect, in manner before directed, ſome

In 10 days 15 aldermen and common-council elected by ballot commiſſioners in common council, to act till 24 June 1777, when others elected, for 3 years, and ſo on,

on vacancy, election in 14 days;

7 days notice in Gazette,
so on death, &c. of other commissioners, survivors, or any 7 on like notice to elect,

with like powers to the elected.

5 divisions in Dublin,

some other person, seven days previous notice of election being given in the Dublin Gazette; and when any other of the commissioners herein named, or hereafter to be elected, shall die, be disabled, or resign, it shall be lawful for the surviving commissioners, not being commissioners from office, or elected by the corporation, or any seven or more of them, at any meeting, seven days previous notice being given in Dublin Gazette, to elect a fit person or persons to supply the places of them; and all persons so elected are vested with same powers as the persons in whose stead elected.

III. *sect.* 3. The city of Dublin, and places after mentioned, shall be divided into five divisions, the first to consist of parishes of saint Paul and Michan; the second of saint Thomas, saint Mary's; the third of saint Andrew's, Ann's, Mark's, Peter's, the fourth of saint Bride's, Werburgh's, John's, Nicholas within, and Michael's; and the fifth of saint Nicholas without, Audeon's, Catherine's, and James's.

In 10 days after this act, and 1st Thursday February yearly, protestant parishioners in vestry on usual notice to elect 12 each division,

IV. *sect.* 4. Within ten days after this act, and also on first Thursday in February annually afterwards, the protestant parishioners of the parishes above mentioned shall meet in the vestry room or other usual place for transacting publick business of the parish, the usual notice first given by the minister or curate, and elect by ballot twelve in each division; in the first, the parish of saint Paul's shall elect four, and Michan's eight; in the second, the parish of saint Thomas shall elect six, Mary's six; in the third, saint Andrew's shall elect three, Ann's three, Mark's two, Peter's four; in the fourth, saint Bride's shall elect three, Werburgh's three, John's two, Nicholas within two, Michael's two; in the fifth, saint Nicholas without shall elect three, Audeon's four, Catherine's four, and saint James's one; and said persons so elected, with three aldermen, and three common-council elected as commissioners, which aldermen and common-council men shall be appointed at same time, and in same manner as those acting as commissioners, and one other commissioner to be appointed by the commissions to act for three years, shall constitute a committee for carrying this act into execution within their divisions, and for superintending and inspecting all the works carrying on, by this act, within their divisions, and for examining the bills relative thereto, and certifying to said commissioners such bills and allowances as they shall find just, or objecting to the payment of such as they shall find otherwise, (the salaries allowed to officers of the commissioners, and expences of commission excepted) and said commissioners, on receiving such certificates of payment, but not otherwise, shall order said bills to be paid.

who with 3 aldermen, 3 common council, and other commissioner appointed for 3 years, shall be a committee for executing, superintending works, examinining bills, and certifying to commissioners, or objecting to payment.
salaries and expences excepted,
bill not paid without certificate.

5 to act in committee;
on vacancy another elected for the time, the same week on notice by minister next Sunday after notice of vacancy.

V. *sect.* 5. No less than five of said persons so elected, shall be able to transact or execute any business in any committee under this act; and in case of death, disability, or resignation of any persons so elected, said parishioners shall in like manner elect another, who shall continue in office for remainder of the time such person, in whose place elected, was to continue; and the minister or curate of such parish, whenever such death, disability, or resignation shall happen, shall next Sunday, immediately after they have notice of the same, give such notice as aforesaid, and appoint a day in same week for said election.

On 14 days neglect to chuse committee or officers 9 commissioners may appoint.

VI. *sect.* 6. If parishioners of any parishes directed to meet for electing proper persons to act as committee men, or to appoint proper officers for putting this act in execution, neglect to chuse such committee men or officers, fourteen days after the time appointed, the commissioners, or any nine or more, are empowered to appoint such committee men and officers.

VII. *sect*

VII. *ſect.* 7. No perſon ſhall be capable of acting as a commiſſioner or a committee man in execution of this act, during the time he ſhall directly or indirectly hold any office by virtue of, or enter into any contract relating to the execution of any part of this act; nor during the time he ſhall be engaged in ſecurity for any perſon holding any office by virtue of, or entering into any contract relating to execution of any part of this act.

No commiſſioner or committee man to act while holding office or contracting or while ſecurity.

VIII. *ſect.* 8. No perſon capable of acting as a commiſſioner or committee man in the execution of this act, unleſs he ſhall in preſence of ſaid commiſſioners, or any ſeven, at ſome meeting purſuant to this act take and ſubſcribe the following oath, or being a quaker, make affirmation, which the clerk appointed by ſaid commiſſioners, is empowered and required to adminiſter, and the ſame is to be by him fairly entered and preſerved in a book kept particularly for that purpoſe.

Their oath or affirmation before 7 commiſſioners at meeting.

adminiſtered and entered by clerk.

*I A. B. do ſolemnly ſwear, that I have not, nor during my being a will I hold any office, or enter into any contract relating to the execution of any part of this act, or be engaged in any ſecurity for any perſon holding any office by virtue of, or entering into any contract relating to the execution of any part of this act; and that I have not accepted, nor will I accept, directly or indirectly, of any profits, ſalary, or benefit ariſing, or to ariſe from, out, or by means of any office or contract, relating to the execution of any part of this act.*

IX. *ſect.* 9. Said commiſſioners, or any ſeven or more, ſhall meet at the houſe of the corporation for inland navigation; and the ſeveral committees, or any five or more, ſhall meet at their veſtry rooms, or other place appointed for tranſacting publick buſineſs of ſome pariſh within their reſpective diviſions, on the ſixth of June next, between ten in the forenoon, and two in the afternoon, and proceed to execution of this act; and ſhall then, and at every ſubſequent meeting, from time to time, adjourn to meet at any place in ſaid city, or county of ſaid city, as they, the ſaid commiſſioners, or any ſeven or more, or committee men, or any five or more, ſhall think proper or convenient for putting this act in execution; and if there ſhall not appear at any meeting appointed by ſaid commiſſioners or committee men, a ſufficient number to act, and to adjourn to another day, the clerk ſhall by publick notice in Dublin Gazette, given at leaſt five days before next meeting, or in caſe ſaid clerk ſhould happen to die before ſuch notice given, or neglect or refuſe to give ſuch notice, any two commiſſioners ſhall and may by like publick notice appoint ſaid commiſſioners and committees to meet at the place, where the laſt meeting was appointed, within fourteen days next after the day, on which ſuch laſt meeting was appointed to be held; and ſaid commiſſioners and committee men ſhall at their meeting pay their own expences.

7 commiſſioners to meet at navigation houſe;

committees to meet at veſtry, &c. 6th June between 10 and 2,

and adjourn to other place in the city or county of city;

if not a ſufficient number, the clerk on 5 days notice in Gazette, or 2 commiſſioners, to appoint meeting where laſt in 14 days;

bear their own expences,

X. *ſect.* 10. After this act, any five or more of the commiſſioners, ſhall be veſted with full power and authority to do, execute, perform, and direct all and every the purpoſes, acts, matters, and things by this act veſted in, or directed to be done or performed by ſaid commiſſioners, except where a greater number required by this act to be preſent and conſenting.

5 may act, except where more required.

XI. *ſect.* 11. Said commiſſioners, or any nine or more, ſhall and may by writing under their hands and ſeals at their ſecond or any ſubſequent meeting, giving fourteen days notice thereof in Dublin Gazette, appoint one or more clerk or clerks, treaſurer or treaſurers, receiver or receivers of monies to

Nine on 14 days notice in Gazette to appoint clerks, treaſurers, receivers, ſurveyors, and other officers,

to be raiſed by and for the purpoſes of this act, and ſo from time to time to appoint others, as they find neceſſary or convenient; and alſo one or more ſurveyor or ſurveyors, to view the condition of the ſeveral ſtreets, quays, bridges, ſquares, courts, alleys, places, and lanes in city of Dublin, liberties thereof, and places herein after mentioned, and to ſee that the ſame are properly pitched, paved, and kept in repair; and alſo ſuch other officer or officers as ſaid commiſſioners, or any nine or more think neceſſary; and ſaid commiſſioners, or any five or more, ſhall and may take ſufficient ſecurity for due execution of the reſpective offices by ſuch perſons as the ſaid commiſſioners, or any five or more think proper; and ſaid commiſſioners or any nine or more may, from time to time, remove any or either of ſuch officers or other perſons, and appoint others in the room of ſuch as ſhall be removed or die; and ſhall and may, out of the money raiſed and levied by this act, make ſuch reaſonable allowances to treaſurers, receivers, ſurveyors, clerks, or other officers ſo appointed, for and in conſideration of their offices, and to ſuch other perſons as ſhall be aiding and aſſiſting in and about the execution of this act, and aſcertain ſuch proportion of the expence attending the ſame, as they ſhall think proper, upon ſuch diviſion of the city as to them, ſhall ſeem reaſonable; and the committees in their diviſions may appoint a clerk and ſuperviſor, and take ſuch ſecurity for due execution of their offices, as ſaid reſpective committees think proper; and may remove all clerks and ſuperviſors, and appoint others in room of them as ſhall be ſo removed or die, and ſuch ſalaries and allowances to them in conſideration of trouble in executing their offices reſpectively, as ſaid reſpective committees think reaſonable.

5 take ſecurity,

9 may remove officers, & appoint others with reaſonable ſalaries;

and aſcertain proportion of expence,

committees in diviſions appoint clerk & ſuperviſor & ſalaries, take ſecurity and remove,

XII. *ſect.* 12. If any perſon employed as a clerk, treaſurer, receiver, ſurveyor, or any other officer or ſervant, any ways employed by ſaid commiſſioners or committee-men, in putting this act, or any the powers thereof in execution, ſhall exact, take, or accept any fee or reward whatſoever, other than ſuch ſalaries and rewards as appointed, allowed, and approved of by ſaid commiſſioners, or any nine or more, or other than the ſalaries allowed to clerks and ſuperviſors by the committees, and approved of by ſaid commiſſioners, or any nine or more, for or on account of any thing done or to be done by virtue of this act, or on any account whatſoever relative to the putting this act in execution, or ſhall any ways be concerned in intereſt in any bargain made or to be made by the ſaid commiſſioners or committees, or any of them, for putting this act in execution, every ſuch perſon ſo offending ſhall be incapable of ſerving or being employed under this act; and over and above forfeit one hundred pounds to any perſon who ſhall ſue by action of debt, bill, plaint, or information in any courts of record within ſix calendar months after offence committed; in which ſuit no eſſoign, protection, or wager of law, nor more than one imparlance allowed; and ſuch perſons as are hereby made liable to pay the ſeveral rates or ſums hereby granted, ſhall pay the ſame to ſuch perſons as from time to time ſo appointed to collect and receive for each pariſh and place, according to the true meaning of this act; and ſuch receiver ſhall give his receipt for ſuch ſum to the perſon, who ſhall pay; and all ſuch officers and perſons ſo appointed, ſhall under their hands at ſuch times and manner as ſaid commiſſioners or any five or more direct, deliver to ſuch commiſſioners, or ſuch perſons as they, or any five or more appoint, true and perfect accounts in writing of all matters and things committed to their charge by this

Officers or ſervants taking reward, except ſalary, or concerned in bargains, incapable, and forfeit 100l. to proſecutor in 6 months;

payment to receivers appointed,

receipts given,

accounts in writing to 5 commiſſioners,

this act; and alſo of all monies received by ſuch officers and perſons reſpectively, by virtue and for purpoſes of this act; and how much thereof hath been paid and diſburſed by order of ſaid commiſſioners, or by ſaid committees of reſpective diviſions, or for any five or more, and for what purpoſes; together with proper vouchers for ſuch payments; copies of which accounts ſhall be delivered to the ſeveral committees of diviſions; and ſhall pay all ſuch monies, as ſhall remain in their hands, to ſuch perſons as ſaid commiſſioners, or any ſeven or more ſhall appoint; and all ſaid officers and perſons ſo accounting, ſhall verify their ſaid accounts upon oath; which oath ſaid commiſſioners or any two or more are impowered and required to adminiſter; and if any ſuch officer or perſon ſhall not make or render, or refuſe to verify upon oath any ſuch accounts, or to produce or deliver up the vouchers relating to the ſame, or to make payment as aforeſaid, or not deliver to ſaid commiſſioners, or any five or more, or to ſuch other perſons as they appoint, within ten days after being thereunto required by any five or more of ſaid commiſſioners, all the books, papers, and writings in his cuſtody or power, relating to execution of this act, or refuſe or neglect to pay ſuch monies as upon the ballance of any account, ſhall appear to be in his hands, to ſaid commiſſioners, or any ſeven or more, or as they ſhall direct or appoint; ſuch officer or perſon ſhall for every ſuch neglect or refuſal reſpectively forfeit fifty pounds; and in either of the caſes aforeſaid ſuch commiſſioners, or any ſeven or more, may bring, or cauſe to be brought, any action in the name of ſuch commiſſioners, or of any two or more, or of their treaſurer, againſt the officer or perſons, ſo neglecting or refuſing, for recovery as well of ſaid forfeiture as of the monies in hands of ſuch officer or perſon reſpectively.

of money received, and diſburſements by order;

with vouchers; copies to committees;

payment of ſurplus to appointees of 7 commiſſioners;

accounts on oath;

not accounting on oath, or delivering up vouchers, or not paying.

not delivering to 5 commiſſioners in 10 days all papers, &c.

not paying balance, forfeit 50l.

7 commiſſioners may ſue in their name, or any two, or treaſurer's.

XIII. *ſect.* 13. In every caſe, wherein a power is given to ſaid commiſſioners, or any of them, to bring action for any money, it ſhall be lawful for ſaid commiſſioners, or any of them, ſo impowered, to bring the ſame by way of civil bill, in caſe ſuch money ſhall not exceed twenty pounds, in ſuch courts as have or ſhall have authority to hear and determine civil bills in county, or in the city and county of city of Dublin, within their reſpective juriſdictions, with like remedy of appeal to the parties reſpectively, as in other caſes provided. And if complaints made by ſaid commiſſioners, or any five or more, or by ſuch perſons as they appoint, of any ſuch refuſal or neglect as aforeſaid, to any two or more juſtices of peace for the county or place, wherein ſuch officers or perſons, ſo neglecting or refuſing, ſhall be and reſide, ſuch juſtices are required to ſummon ſaid perſons to appear, and in caſe of refuſal or non-appearance they may and are required by warrant under hands and ſeals to cauſe the officers or perſons ſo refuſing or neglecting to be brought before them; and upon his and their appearing, or wilfully abſconding, to hear and determine the matter in a ſummary way; and if upon confeſſion of parties, or teſtimony of any credible witneſs or witneſſes upon oath, which oath ſuch juſtices are required to adminiſter, it appear to ſuch juſtices, that any of the monies collected or raiſed by this act, ſhall be in the hands of ſuch officers, or perſons, ſuch juſtices may, and are required, upon non-payment thereof, within ten days after conviction, by a warrant, to cauſe ſuch money to be levied by diſtreſs and ſale of goods or chattles of ſuch officers, or perſons reſpectively; and if no goods or chattles can be found ſufficient to anſwer and ſatisfy ſaid money, and charges of diſtraining and ſelling, then, and in either of the caſes aforeſaid, ſuch juſtices

By civil bill if not above 20l.

on complaint by 5 of refuſal or neglect of officers 2 juſtices may ſummon,

warrant on non-appearance,

determine ſummarily,

on confeſſion or proof of money in their hands and non-payment in 10 days, warrant to levy by diſtreſs and ſale;

if no diſtreſs, committed till account & payment or compoſition, and delivery of books, &c.

tices ſhall commit every ſuch offender to the houſe of correction, until he give and make a true and perfect account and payment as aforeſaid, or ſhall compound with ſaid commiſſioners, or any ſeven or more, and ſhall have paid ſuch compoſition in ſuch manner, as they ſhall appoint; (which compoſition ſaid commiſſioners, or any ſeven or more, are impowered to make) or until he ſhall deliver up ſuch books, papers, and writings as aforeſaid, and give ſatisfaction in reſpect thereof to ſaid commiſſioners, or any ſeven or more.

7 may compound.

XIV. *ſect.* 14. So ſoon as conveniently may be during this act after the perſon or perſons, or either of them, acting as treaſurer or treaſurers to ſaid commiſſioners, ſhall at any time have received one hundred pounds, monies appointee to be received by him or them, by virtue, and for purpoſes of this act, he and they ſhall from time to time pay the ſame into ſuch bank, as to ſaid commiſſioners, or any ſeven or more, ſeem fit, in name, and account of ſaid commiſſioners, and to be diſpoſed of by order of ſaid commiſſioners, or any ſeven or more, for purpoſes of this act.

Treaſurers from time to time to pay 1001. as received into a bank as by 7 commiſſioners ordered.

XV. *ſect.* 15. Said commiſſioners, or any ſeven or more, regularly aſſembled and forming a board in purſuance of this act, ſhall have full power and authority from time to time to order and direct any publick ſtreets, lanes, quays, bridges, ſquares, courts and alleys, now in being, or hereafter to be made within ſaid city, and county of city of Dublin, and places herein after mentioned, or any part or parts of ſuch ſtreets, lanes, quays, bridges, ſquares, courts, and alleys, as well thoſe uſed by foot paſſengers, as by carriages, to be pitched, paved, repaired, raiſed or altered; and alſo to cauſe to be dug, carted, and carried out of, or brought into, ſaid ſtreets, lanes, quays, bridges, ſquares, courts, and alleys, or any of them, ſuch gravel, ſtones, and other materials, as they ſhall judge neceſſary; and may likewiſe cauſe the ground thereof to be raiſed or lowered; and all poſts, rails, ſigns, ſteps, bulks, ſtalls, holes, pits, ſhew-glaſſes, ſhew-boards, jet-out-windows, walls incloſing dung-hills, as alſo all ſteps, and doors opening, or leading from the foot-ways or carriage-ways, into vaults, cellars, or other places, to be removed, filled up, or altered; and to employ ſuch artificers, workmen, labourers, carters, and others, and to iſſue ſuch money on thoſe accounts, and to do all ſuch other acts and things as ſaid commiſſioners, or any ſeven or more, ſo aſſembled and forming a board, judge neceſſary.

7 at a board may order ſtreets, &c. to be pitched, paved, &c.;

dig and carry away materials, raiſe or lower, remove poſts, &c. fill up or alter openings to cellars, &c. employ labourers, and iſſue money, &c.

XVI. *ſect.* 16. And whereas Plunket-ſtreet has been upwards of ſeventy years, the only market place for ſale of cloaths for the lower claſs; no powers granted by this bill to the commiſſioners or committees, ſhall extend to the removing pent-houſes, ſhop-windows, or frames, which jet out in ſaid ſtreet, as it will greatly injure ſaid market, and ruin the trade thereof, to the great prejudice and loſs of a great number of induſtrious people.

Pent-houſes, &c. in Plunket-ſtreet excepted.

XVII. *ſect.* 17. Said committees, or any five or more of the perſons conſtituting ſaid committees, may from time to time at any of their ſaid meetings, as occaſion ſhall require, contract with any perſons for paving all or any of ſaid ſquares, ſtreets, bridges, quays, courts, alleys, places, and lanes; which contracts ſhall ſpecify the ſeveral works to be done, and the prices to be paid, and the times when ſaid works ſhall be compleated, and penalties in caſe of non-performance, and ſhall be ſigned by ſaid committees, or any five or more, at ſuch meetings aſſembled, and forming a board, and by ſuch perſons contracting to perform; but previous to the making of

5 committee-men at meeting may contract for paving,

ſpecifying the works, prices, times, penalties,

ſigned at board by them and contractors,

any

any ſuch contract fourteen days notice ſhall be given in the Dublin Gazette, expreſſing their intentions to make ſuch contracts, that any perſoes willing to undertake, may make propoſals, to be offered and preſented to ſaid commitiees at a certain time and place in every ſuch notice mentioned; which contract muſt be approved of and ſigned by the commiſſioners, or any ſeven or more, otherwiſe to be null and void; and no contracts ſhall be made after the preſent year but between the firſt of February and firſt of June.

14 days notice in Gazette to receive propoſals;

contracts approved and ſigned by 7 commiſſioners; after this year made between 1ſt of Feb. and 1ſt of June.

XVIII. *ſect.* 18. Nothing in this act, ſhall be deemed or taken to make void any contract, covenant, or agreement between landlord and tenant touching or concerning the paving any or any part of ſaid ſquares, bridges, quays, ſtreets, courts, alleys, places, or lanes, or any of them; but whatever perſon, who is now by any ſuch contract or agreement obliged to pave or keep in repair any part of ſaid ſquares, courts, alleys, places, or lanes, or either of them, ſhall in lieu thereof be obliged to pay the rates hereby directed to be made and aſſeſſed, or ſo much thereof as ſhall by ſaid commiſſioners, or any ſeven or more, at ſuch meetings be deemed juſt and reaſonable, according to the true meaning of ſuch contract, covenant, or agreement, for and during ſuch time as ſuch contract, covenant, and agreement ſhall remain in force; and in caſe any diſpute ſhall ariſe concerning ſuch agreement, ſaid commiſſioners, or any ſeven or more, at ſuch meeting ſhall have power to hear and finally determine.

Not to avoid agreements between landlord and tenant as to paving; rates aſſeſſed paid in lieu, or as by 7 commiſſioners deemed juſt, during ſuch agreement,

diſputes as to agreement determined by 7 at meeting.

XIX. *ſect.* 19. It ſhall be lawful for receivers of the rates or aſſeſſments appointed by ſaid commiſſioners, or any ſuch receiver or receivers, or for any perſons authorized by ſaid commiſſioners, or any ſeven or more, at all convenient times, firſt having an order under the hands of ſaid commiſſioners, or any ſeven or more, for that purpoſe, to inſpect the books or rates made for the watch or poor-houſe-money in Dublin, in order to aſcertain the rates and aſſeſſments to be raiſed by this act; and alſo to take copies thereof, and make extracts therefrom, and to inſpect and take copies or extracts of or from any book kept for that purpoſe; which inſpection, copies, and extracts churchwardens, or other officers, of their reſpective pariſhes and places, or other officers, or perſons, having the cuſtody of ſuch books and rates, are required to permit and ſuffer to be made without fee or reward by ſuch receivers, or other perſons appointed as aforeſaid, on their producing an order under the hands of ſaid commiſſioners, or any three or more of them, for that purpoſe; and in caſe any ſuch church-wardens, or other officers or perſons, neglect or refuſe ſo to do, within three days after ſuch order ſhall be produced and ſhewn to them, or a copy thereof left at their laſt or moſt uſual place of abode, they ſhall for the firſt offence forfeit twenty ſhillings, the ſecond forty ſhillings, and the third and every other, three pounds.

Receivers may, under order by 7 commiſſioners, inſpect books of watch or poor-houſe-money to aſcertain rates, take copies and extracts, without fee,

producing order by 3 commiſſioners; church-wardens, &c. refuſing 3 days after orders ſhewn or copy left, penalty 1ſt offence 20s. 2d 40s. 3l. after.

XX. *ſect.* 20. The property of ſaid pavements, iron, timber, furniture, and all other materials and things, made uſe of for purpoſes of this act in the ſeveral diviſions of ſaid city and other places herein after mentioned, ſhall be, and are veſted in the reſpective committees for time being; and they are ſeverally authorized to bring, or cauſe to be brought, any action, in name of the clerk of the reſpective committees, or to prefer, order, and direct the preferring indictments againſt any perſon, who ſhall ſteal, take, carry away, or embezzle any, or any part of ſuch materials or things; and if any perſon wilfully or maliciouſly break up, deſtroy, or otherwiſe damage or ſpoil any of the ſaid materials or things, or any of the works made in

Property of materials veſted in reſpective committees;

who may by action in clerk's name or indictment proceed againſt thoſe who ſteal or embezzle, damaging materials or works, on conviction before a juſtice,

where apprehended, 1ſt offence not above 40s. nor under 10s. every other not above 3l. nor under 20s. by diſtreſs and ſale on juſtices warrant, if no diſtreſs, committed not above 2 months nor under 10 days.

purſuance of this act, or any part or parts thereof, every perſon ſo offending, and being convicted by oath of one or more witneſs or witneſſes before any one or more juſtices of peace for the county, where ſaid offender apprehended, ſhall, for firſt offence forfeit any ſum not exceeding 40 ſhillings, nor leſs than ten, and for the ſecond and every other, not exceeding three pounds nor leſs than twenty ſhillings; levied by diſtreſs and ſale of goods and chattles of every ſuch offender by warrant under hand and ſeal, of the juſtices before whom ſuch conviction made; which forfeiture ſhall be applied for the purpoſes of this act: and in caſe the perſons ſo offending and convicted have no goods or chattles, whereupon the ſame can be levied, it ſhall be lawful for one or more of ſuch juſtices, by warrant under hand and ſeal, to commit to the houſe of correction, for any ſpace not exceeding two calendar months, nor leſs than ten days, reckoned from the day of commitment; and perſons ſo incurring, and being convicted of any of ſaid pecuniary penalties, ſhall not be diſcharged until he, ſhe, or they ſhall have paid the ſum forfeited, or until the expiration of ſaid reſpective times.

Five committee men may ſell old materials, and apply to this act.

XXI. *ſect.* 21. Said committees reſpectively, or any five or more of the perſons conſtituting, ſhall have full power to ſell and diſpoſe of all or any part of any old materials to ſuch perſons, as ſhall be willing to buy, and to apply the purchaſe money to purpoſes of this act.

Pavement taken up for mending pipes or accidental fire, repaired with convenient ſpeed at the expence of thoſe furniſhing water for the city, by the contracting paviours;

but if for purpoſes of this act, out of the money ariſing.

XXII. *ſect.* 22. And whereas the perſons, who furniſh water to inhabitants of Dublin, are by law now authorized to take up the pavements by their own paviours, who may be guilty of neglects in repairing, when and ſo often as it ſhall be neceſſary to take up any part of the pavements of ſaid ſquares, ſtreets, bridges, quays, alleys, courts, places, or lanes, which ſhall be compleated by virtue of this act, for amending the pipes, or in caſes of accidental fire, by any other perſons, the ſame ſhall with all convenient ſpeed be repaired at expence of ſaid perſons ſo furniſhing water for ſaid city by the paviour or paviours contracting with or employed by them; but if for purpoſes of this act it ſhall at any time be found neceſſary to raiſe, ſink, or any other ways to alter the poſition of any of the pipes or plugs laid down or placed by any of ſaid perſons, for ſupplying ſaid city with water as aforeſaid, the ſame ſhall be paid for out of the monies ariſing by virtue of this act; and alſo at all times with as little detriment or inconvenience to ſaid perſons, as the circumſtances of the caſe will admit.

Agreement with the grand canal company confirmed.

XXIII. *ſect.* 23. And whereas an agreement hath been entered into between the corporation of city of Dublin and company of undertakers of the grand canal, in the words following. "Reſolved, that it be agreed between the ſubſcribers to the grand canal and the city of Dublin, that in conſideration of the ſubſcribers ſupplying the city with ſuch a quantity of water, hereafter to be aſcertained, as ſhall amply ſupply the ſeveral inhabitants thereof, the city ſhall pay to the ſaid ſubſcribers ten *per cent.* upon the groſs produce of the revenue that ſhall ariſe to the city from the ſale of the ſaid water; the payment of the ſaid ten *per cent.* not to commence until the firſt day of May 1776; and the ſubſcribers alſo engaging, that they ſhall not erect any works upon the navigation, which ſhall cauſe any impurity in the water, ſo as to render it unfit for uſe." "Reſolved, that it be alſo agreed, that the ſubſcribers, on their part, and the city on theirs, ſhall uſe their beſt endeavours to obtain an act of parliament for ratifying the above agreement as ſoon as poſſible." Therefore the ſaid agreement, and every part thereof, ſhall ſtand ratified and confirmed.

XXIV. *ſect.*

XXIV. *ſect.* 24. Four times at leaſt in every year, or oftener if required, an account from the books to be kept by receivers of ſaid rates, duties, and ſums of money, as aforeſaid, ſhall be fairly ſtated, and ſigned by ſaid receivers, and delivered by them to ſaid commiſſioners and committees; which commiſſioners, or any ſeven or more, are impowered to diſcharge ſuch receivers of all ſuch monies, as they ſhall have fairly and truly accounted for.

Four times a year or oftener, if required, receiver's account delivered; 7 commiſſioners may diſcharge.

XXV. *ſect.* 25. No perſon ſhall make, or cauſe to be made, any alteration in the form of any pavements of ſaid ſquares, bridges, quays, courts, alleys, ſtreets, lanes, or places compleated by this act, or of any part thereof, or any encroachments therein; or put up any poſt, rails, ſigns, ſtep or ſteps, or erect any bulks or ſtalls, or place any ſhew-glaſſes, ſhew-boards, or jet-out windows, or make any hole or pits, without the conſent and direction of ſaid commiſſioners, or any ſeven or more, under hands and ſeals, upon pain of forfeiting for every ſuch offence five pounds, over and above all expences incurred, or to be incurred, in reinſtating the ſame; levied by diſtreſs and ſale of goods and chattles of every ſuch offender by warrant under hands and ſeals of any two or more juſtices for the county, where ſuch offender apprehended, with the charges of ſuch diſtreſs and ſale, rendering the overplus, if any, to owner of ſuch goods and chattles, when demanded.

No alteration in form of pavement; no poſts, &c. erected or placed, or holes made, without conſent of 7 commiſſioners under hand and ſeal, penalty 5l. above expences; by diſtreſs and ſale on warrant of 2 juſtices.

XXVI. *ſect.* 26. Every occupier of any houſe or tenement within ſaid city, and in reſpect of houſes let to inmates, every houſe owner, ſhall, once every day, from firſt of May to the firſt of October, before eight, and from the firſt of October to the 30th of April before ten of the clock in the forenoon of each day, ſcrape, ſweep, and cleanſe, or cauſe to be ſwept, ſcraped, and cleanſed, the foot-way all along the front of their reſpective houſes or tenements; or in default thereof ſhall for every ſuch offence forfeit and pay one ſhilling; to be levied and applied in ſuch manner, as any of the penalties and forfeitures hereby inflicted are directed.

Houſe occupier, or if let to inmates, owner, once a day from 1 May to 1 Octob. before 8, and from 1 Octob. to 30 April before 10, to ſweep front foot-way, or pay 1 s. levied and applied as other penalties.

XXVII. *ſect.* 27. It ſhall be lawful for ſaid commiſſioners, or any five or more, when they think fit, to raiſe, ſink, or otherwiſe alter the poſition of any of the leaden or other pipes, which, for conveying water into any houſe, area, or other place, ſhall be laid into or from any pipe laid down, or placed by any perſons, who furniſhed the inhabitants of the city with water; the expence whereof ſhall from time to time be paid out of the money ariſing by, or appropriated to the purpoſes of this act; and ſhall always be done with as little detriment and inconvenience to ſaid perſons or inhabitants, as the circumſtances of the caſe ſhall admit.

Five commiſſioners to alter water-pipes to houſes, out of the money by this act, with as little inconvenience as poſſible.

XXVIII. *ſect.* 28. So often as any part of ſaid pavements of ſaid ſquares, ſtreets, or lanes, or other places, begun to be paved by this act, ſhall be taken up by any perſons for placing, altering, or amending any pipe or pipes, the ſame ſhall with all convenient ſpeed be repaired by the paviours contracting with or employed by ſaid commiſſioners at expence of proprietors of ſaid leaden or other pipes reſpectively.

Pavement taken up for pipes repaired with ſpeed by contracting paviours, at proprietor's expence.

XXIX. *ſect.* 29. When and ſo often as any part of the pavements of any ſquares, ſtreets, lanes, courts, alleys, paſſages, or places, begun to be paved by this act, ſhall be intended to be taken up by any perſons for making, repairing, or altering any vault or drain, or any other purpoſe whatſoever, the perſons ſo intending to take up ſuch pavement, ſhall previouſly to the breaking up or opening, give notice thereof to the ſurveyors employed by commiſſioners for putting this act in execution, that the ſame may with all convenient

Previous notice to ſurveyors of taking up pavements,

repaired with ſpeed under their inſpection, firſt computing charges,

neglecting notice 24 hours before, penalty 5 l.

warrant to diſtrain and ſell,

firſt to pay expences.

convenient ſpeed be laid down and repaired under inſpection of ſaid ſurveyors; and the charges and expences thereof ſhall be previouſly computed by ſaid ſurveyors; and in caſe ſuch perſons directed to give ſuch notice to ſurveyors, neglect ſo to do twenty-four hours at leaſt before ſuch pavements ſo taken up, ſuch perſons ſhall for every ſuch offence forfeit and pay five pounds; and it ſhall afterwards be lawful for lord mayor, or other juſtice of peace of ſaid city, to iſſue his warrant, under hand and ſeal, to diſtrain the goods and chattles of perſons offending herein, and ſaid goods and chattles ſhall be ſold, as uſual in caſes of diſtreſs, firſt to reimburſe ſaid commiſſioners all expences in repairing and laying down pavements ſo broken up, the overplus to owner.

Obſtructing this act, 1ſt offence 20s. 2d, 40s. afterwards 3l.

or committed one month.

XXX. *ſect.* 30. If any perſon ſhall obſtruct, hinder, or moleſt any ſurveyor or other officer, or perſons whatſoever, employed to put this act in execution, in the performance or execution of their duty, every ſuch perſon ſhall for firſt offence forfeit twenty ſhillings; for ſecond forty ſhillings; for the third, and every other, three pounds; and in caſe of non-payment ſent to houſe of correction for one month.

Paved and repaired according to cuſtom at expence of pariſhes or corporations.

XXXI. *ſect.* 31. Where any part of the pavements of ſaid ſquares, ſtreets, and lanes, or other places, have been accuſtomed or ought to be paved and repaired by any particular pariſhes, bodies politick or corporate, and not by owners or occupiers of the houſes or other buildings adjoining to the pavements, the ſame ſhall be paved and repaired at the expence of the reſpective pariſhes, bodies politick or corporate, by the paviours contracting with or employed by ſaid commiſſioners.

With whom 7 commiſſioners may compound.

XXXII. *ſect.* 32. It ſhall be lawful for ſaid commiſſioners, or any ſeven or more, from time to time to compound and agree for the ſame by the year with any ſuch pariſh or pariſhes, or bodies politick or corporate, for a certain ſum, by the foot or other meaſure, as ſaid commiſſioners, or any ſeven or more, think reaſonable.

Signs, &c. or other annoyance placed at commiſſioners expence in front,

removed and placed as 3 think convenient;

ſpouts, &c. fixed on front,

for any annoyance, penalty 5l.

as other penalties.

XXXIII. *ſect.* 33. All ſigns, ſign-irons, poſts, boards, ſpouts, gutters, or any encroachment or other annoyance whatſoever, already built, placed, or hung in any of the ſquares, ſtreets, or lanes, ſhall be, at the expence of ſaid commiſſioners, fixed or placed on the fronts of ſuch houſes reſpectively, whereto the ſame ſhall belong, or may from time to time be removed and placed in ſuch manner, as ſaid commiſſioners, or any three or more, think moſt proper and convenient, to prevent occaſioning any obſtruction or annoyance; and for the future all irons, boards, ſpouts, or gutters, ſhall be placed or fixed on the fronts of the houſes, ſhops, warehouſes, or buildings, whereunto they reſpectively belong, and not otherwiſe: and if any perſons hereafter hang, place, erect, or build any ſign, ſign-poſt, or iron, board, ſpout, gutter, or any other annoyance, or cauſe the ſame to be done, in any other manner than as aforeſaid, every ſuch perſon ſhall for every ſuch offence forfeit and pay five pounds, levied and recovered in ſuch manner as penalties are by this act directed.

Property unuſed, the ſame as before.

XXXIV. *ſect.* 34. If any or any part of any ſuch ſign-iron, or poſt, board, gutter, or ſpout ſhall remain unuſed after the alteration made thereto, as before directed, the ſame ſhall be returned to and be the property of the perſon, to whom the ſame belonged before ſuch removal or alteration.

Five committee men may occaſionally water ſtreets, &c.

XXXV. *ſect.* 35. Said reſpective committees, or any five or more, ſhall have full power and authority from time to time to cauſe all or any part of ſuch ſquares, ſtreets and lanes to be well watered, as often as occaſion, in

ſuch

ſuch manner as ſaid committees, or any five or more of the perſons conſtituting reſpectively, direct, and defray the expences ariſing thereby out of the money raiſed by or appropriated for purpoſes of this act.

out of money raiſed

XXXVI. *ſect.* 36. Said reſpective committees, or any five or more, may order and direct the ſeveral inhabitants of the ſeveral houſes in ſaid ſquares, ſtreets, lanes, and other places in this act mentioned, to number their reſpective houſes, in ſuch manner as ſaid reſpective committees, or any five or more, think proper; and may alſo order and direct to be engraved, painted, or otherwiſe deſcribed, on ſtone or wood, fixed on a conſpicuous part of ſome houſe or other building at each end and corner of each ſquare, ſtreet, or lane, the name by which ſaid ſquare, ſtreet, or lane is uſually or properly called or known; and if any perſon wilfully or maliciouſly deſtroy, pull down, injure, obliterate, or deface any ſuch name or deſcription, or any part thereof, or cauſe or procure the ſame to be done, or ſhall neglect to number his houſe as directed by commiſſioners, or any five, and be convicted thereof by his or her own confeſſion, or oath of one or more credible witneſſes before one or more juſtices of peace for the county, where ſuch offender apprehended (which oath ſaid juſtices are impowered to adminiſter) every ſuch perſon ſhall for every ſuch offence forfeit and pay fifty ſhillings; levied, recovered, and applied, as the penalties and forfeitures are by this act directed.

And order inhabitants to number houſes,

and name of the ſtreet at each end,

defacing the ſame, or not numbering, 50s.

as other penalties.

XXXVII. *ſect.* 37. For defraying the charges and expences of paving and repairing ſaid ſquares, ſtreets, lanes, bridges, quays, and other places, now being, or hereafter to be made, within ſaid city, and county of city of Dublin, and places herein after mentioned, one or more rate or rates, aſſeſſment or aſſeſſments, ſhall twice in every year, or oftener if thought needful by ſaid commiſſioners, or any nine or more, be laid and aſſeſſed by ſaid commiſſioners, or any nine or more, of and upon all and every the lands, houſes, ſhops, warehouſes, cellars, vaults, or tenements within ſaid city, liberties, and other places herein after mentioned, in ſuch ſum and ſums as ſaid commiſſioners, or any nine or more, ſhall yearly and every year order and direct; ſo as ſuch rates or aſſeſſments do not exceed in the whole one ſhilling in the pound in any one year of the yearly rent of ſuch lands, houſes, ſhops, warehouſes, cellars, vaults, or other tenements, as the ſame ſhall have been aſcertained and rated towards maintenance of watch in ſuch pariſh and place reſpectively for each preceding year; which rates or aſſeſſments ſhall be paid annually by ſuch perſons, and in ſuch proportion, manner, and form, as rates towards ſupport of the watch are now paid.

Aſſeſſments twice a year, or oftener if needful, by 9 commiſſioners on lands, houſes, &c.

as ordered by 9 yearly,

not exceeding in 1 year 1s. per pound of yearly rent as rated for watch;

paid annually as watch rate.

XXXVIII. *ſect.* 38. And whereas many houſes are let out in lodgings or tenements to divers tenants, it ſhall be lawful for ſaid commiſſioners, or any nine or more, from time to time, and at all times when they meet, to make a rate in purſuance of this act to rate and aſſeſs the owner or owners of ſuch houſes or tenements, as ſhall be let to, or occupied by, two or more tenants; which rate and aſſeſſments ſhall be paid by one or more of the tenants or occupiers of any parts of ſuch houſes; and in caſe any occupier or occupiers of any part of ſuch houſes or tenements refuſe to pay, the ſaid rate and aſſeſſment ſhall be levied by diſtreſs and ſale of the goods of him, her, or them ſo refuſing, which diſtreſs and ſale ſhall be made in ſuch manner as other diſtreſſes and ſales are by this act directed; and ſuch occupier or occupiers of ſuch tenements, are hereby required and authorized to pay ſuch ſums, as ſo rated or aſſeſſed on the owner or owners, in

Nine commiſſioners may rate owners of houſes let to 2 or more;

paid by one or more occupiers of any part;

on refuſal levied by diſtreſs and ſale,

deducted out of rent,

in purſuance of this act, and to deduct the ſame out of the rent thereof; and the owners or proprietors are required to allow ſuch deductions and payment, upon receipt of the reſidue of their rents; and every ſuch tenant, paying ſuch rates or aſſeſſments, ſhall be acquitted and diſcharged for ſo much as ſaid rates or aſſeſſments amounts unto, as if actually paid to ſuch perſons to whom their rent ſhould have been due and payable.

allowed on receipt of reſidue, and tenant diſcharged for ſo much as if actually paid.

If unoccupied, half rate paid by owner;

XXXIX. *ſect.* 39. In caſe any of the lands, houſes, ſhops, warehouſes, cellars, vaults, or other tenements, or any parts thereof, within ſaid city, or county of city, ſhall at any time after making ſaid rates or aſſeſſments be empty, untenanted, or unoccupied, one half of ſaid rates, aſſeſſments, or the one half of ſuch other rates, as may be aſſeſſed by virtue of this act, ſhall be paid by the owner or proprietors, and in caſe of non-payment thereof, ſuch lands, houſes, ſhops, warehouſes, vaults, cellars, or other tenements ſhall be a ſecurity for, and chargeable with the arrear of ſuch rates and aſſeſſments.

on non-payment premiſſes a ſecurity for arrear.

Every tenant or occupier liable to the whole.

XL. *ſect.* 40. That ſaid rates may be more effectually collected, all and every tenant or tenants, occupier or occupiers of lands, houſes, ſhops, warehouſes, cellars, vaults, or other tenements, are and ſhall be liable, and pay the whole of ſuch rates to receivers, appointed by ſaid commiſſioners, as therein is directed.

Nine commiſſioners to aſſeſs publick buildings, dead walls, &c. fronting to and having uſe of ſtreets, by every ſquare yard,

XLI. *ſect.* 41. It ſhall be lawful for ſaid commiſſioners, or any nine or more, at diſcretion, and they are hereby required, when the rates and aſſeſſments hereby directed, ſhall from time to time be made, to rate and aſſeſs all churches, church-yards, and other yards, chappels, meeting-houſes, ſchools, market-houſes, warehouſs, walls, and buildings fronting to, and having benefit of the publick ſtreets, void ſpaces of ground, and all publick buildings whatſoever, ſitnate, ſtanding, lying, and being within ſaid city and county of city of Dublin, and other places herein after mentioned, at a rate to be ſettled by nine or more of ſaid commiſſioners, for every ſquare yard belonging to every ſuch pariſh-church, church-yard, or other yard, chappel, meeting-houſe, ſchool, hall, market-houſe, ware-houſe, and other publick buildings whatſoever; the rates or aſſeſſments ſo ſettled ſhall be paid for ſuch pariſh-churches, chappels, and church-yards, by the reſpective church or chappel wardens, and for ſuch yards, meeting-houſes, ſchools, halls, market-houſes, ware-houſes, walls, and other buildings fronting to and having the uſe and benefit of the ſtreets, and all other publick buildings, by the owners, proprietors, or occupiers of the ſoil, on which ſuch ſtand.

paid by church or chapel wardens for churches, &c. for other buildings by owner or occupier of ſoil.

On non-payment 10 days after demand, receivers by warrant of 2 juſtices with a conſtable may enter and diſtrain;

XLII. *ſect.* 42. If any perſon neglect or refuſe to pay ſums rated or aſſeſſed by this act, for ten days after perſonal demand thereof, or demand in writing left at the place of abode or occupation of perſons ſo rated and aſſeſſed, and neglecting or refuſing to pay, it ſhall be lawful for ſuch receivers, appointed to receive ſaid rates and aſſeſſments, by warrant under hands and ſeals of two or more juſtices of peace for the county of Dublin, and for county and county of the city, as the caſe may happen (which warrant ſaid juſtices are authorized and required to grant) by and with the aſſiſtance of a conſtable of the pariſh or place where ſuch neglect or refuſal ſhall happen, (who is required to be aiding and aſſiſting) to enter into any part of the premiſſes within ſaid city and county of city, and places herein after mentioned, occupied by the perſons ſo rated and aſſeſſed, and to diſtrain their goods and chattles; and if not replevied, or the monies paid within five days after ſuch diſtreſs, together with the coſts of diſtreſs, aſ-

and if no replevin or payment in five days, to ſell for payment and charges.

certained

certained by any two or more of ſaid juſtices, then to ſell ſo much and ſuch part thereof, as will be ſufficient to pay ſaid rate and aſſeſſment, with all coſts and charges attending ſaid diſtreſs and ſale, returning the overplus (if any) to owners of ſuch goods and chattles.

XLIII. *ſect.* 43. All money raiſed by this act, and all monies appropriated, given, or paid, for purpoſes of this act, ſhall be veſted in ſaid commiſſioners, and applied for purpoſes of this act, and for no other uſe or purpoſes whatſoever.

The money veſted in commiſſioners, applied ſolely to this act.

XLIV. *ſect.* 44. Where any perſons ſo rated and aſſeſſed ſhall quit their dwelling-houſe, ware-houſe, ſhop, vault, cellar, or tenement, in the pariſh or place wherein ſuch rate or aſſeſſment made, before they ſhall have paid, and afterwards refuſe to pay the ſame when due, and demanded by perſons ſo authorized and appointed to collect and receive, in every ſuch caſe it ſhall be lawful for ſaid receivers, and every or any of them, by warrant under hands and ſeals of any two or more juſtices for the county where offender apprehended, as the caſe ſhall happen (which warrant ſaid juſtices are required to grant) in any place to diſtrain the goods and chattles of ſuch perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the overplus, if any, after having deducted reaſonable charges and expences of diſtreſs and ſale, to the owner demanding the ſame, to be aſcertained in like manner as coſts and charges of other diſtreſſes and ſales are herein before provided and directed.

Quitting houſes to evade payment, diſtrained on two juſtices warrant in any place, and ſale.

XLV. *ſect.* 45. And for more effectual and proportional rating other buildings and erections belonging to any land, houſe, ſhop, warehouſe, cellar, vault, or other tenement, not already rated for the watch, it ſhall be lawful for ſaid commiſſioners, or any nine or more, and they are required, at ſuch times as the rates and aſſeſſments hereby are directed to be made, to rate and aſſeſs all other buildings and erections belonging to any ſuch land, houſe, ſhop, warehouſe, cellar, or vault, or other tenement, ſituate, ſtanding, lying, and being within ſaid pariſhes and places comprehended within this act, at the rate not exceeding four pence every ſquare yard of pavement belonging to ſuch ſpace of ground, building, or other erection, over and above what ſuch land, houſe, ſhop, warehouſe, cellar, vault, or other tenement, to which ſuch building, or erection belongs, ſhall by this act be rated at; ſaid rates or aſſeſſments to be laid, received, recovered, and applied by this act; and all dead walls and void ſpaces in ſaid ſtreets ſhall be reſpectively rated by ſaid commiſſioners, or any five or more, according to the annual value which ſaid commiſſioners ſhall judge, ſuch grounds would be let for to a ſolvent tenant; and ſums ſo aſſeſſed ſhall be paid by proprietor of ſuch grounds, until the ſame ſhall be built; and when the ſame ſhall be built, ſuch new houſes ſhall then be rated as other houſes in ſaid ſtreet.

Buildings not rated for watch aſſeſſed not exceeding 4d. per ſquare yard.

dead walls and void ſpaces by 5 commiſſioners by annual value as to a ſolvent tenant; paid by proprietor till built, then rated as other houſes.

XLVI. *ſect.* 46. All perſons paying rates and aſſeſſments by this act laid, ſhall be exempted and diſcharged from charge and expence of paving or keeping in repair the pavements of ſaid ſquares, ſtreets, or lanes, or any of them; and alſo from all penalties by reaſon or means of their neglecting to pave or keep the ſame in repair.

Payment of rates a diſcharge from paving.

XLVII. *ſect.* 47. If any perſon ſhall ride, or run, carry, drive or draw, or cauſe to be run, carried, driven, or drawn, on any foot-ways of any of the ſquares, ſtreets, lanes, courts, alleys, yards, paſſages, or places, paved or flagged by virtue of this act, any wheel or wheels, ſledge, wheel-barrow, or any carriage whatſoever, ſuch perſon ſhall forfeit for firſt offence ten ſhillings,

Drawing carriage on foot-way, firſt offence 10s.

2d, 20s. 40s. after.

lings, the ſecond twenty ſhillings, the third and every other forty ſhillings ſterling.

Five commiſſioners may impower to dig for materials,

except in deer-park, &c. ſatisfying owner,

XLVIII. *ſect.* 48. It ſhall be lawful for ſaid commiſſioners, or any five or more, or any perſons by them duly authorized and appointed, to ſearch for, dig, raiſe, and carry away any gravel, ſand, ſtones, or other materials fit and neceſſary for repairing and paving ſtreets in the ſeveral grounds of any perſon (not a deer-park, garden, orchard, yard, or planted walk or avenue to any houſe) where any ſuch materials may be found, paying ſuch rates to owners or occupiers of the ground, from which the ſame ſhall be raiſed, gathered, and carried away, as ſaid commiſſioners, or any five or more judge reaſonable; and in caſe any owner or occupier think himſelf injured or aggrieved by adjudication of ſaid commiſſioners, it ſhall be lawful to appeal therefrom to quarter ſeſſions for the county of Dublin, or county of the city, within their reſpective juriſdictions, who ſhall and are, required finally to determine ſuch matter, and to award ſuch reaſonable ſums for damages to ſuch owner or occupiers as aſſeſſed by a jury at ſuch ſeſſions, upon hearing the reſpective parties and their council, and examination on oath of any witneſſes produced on either ſide.

who may appeal to ſeſſions,

where ſettled by jury.

Seven commiſſioners may purchaſe ground (not deer-park, &c.) for materials for paving, paying value,

like appeal.

XLIX. *ſect.* 49. It ſhall be lawful for ſaid commiſſioners, or any ſeven or more, to purchaſe any quantity of ground, not a deer-park, garden, orchard, yard, or planted walk or avenue to any houſe, for ſearching for, digging, raiſing, and carrying away any gravel, ſand, ſtones, or other materials, fit and neceſſary for paving and repairing ſtreets, paying ſuch value to the owners or occupiers, as ſaid commiſſioners, or any ſeven or more, ſhall judge reaſonable, with like remedy of appeal as before mentioned, with reſpect to the digging, raiſing, and carrying away gravel, ſand, and ſtones, and other materials.

Repreſentatives of receivers to pay treaſurers;

L. *ſect.* 50. If any receivers die before they have fully paid and ſatisfied all money received by this act, the executors or adminiſtrators, or other legal repreſentatives, or perſons poſſeſſing the late eſtate and effects of any ſuch receivers, ſhall out of ſuch eſtate or effects pay ſaid treaſurers all ſuch ſums by ſuch receivers ſo received and not paid, or ſo much thereof as ſaid eſtate or effects will extend to pay; and the receipt of three or more of ſaid commiſſioners ſhall be a good diſcharge; and every executor, adminiſtrator, or other perſon as aforeſaid, may to any action or ſuit plead or give evidence of payment of the ſame, and ſhall be allowed payment of the ſame out of ſuch eſtate or effects; and in caſe of non-payment twenty-one days after demanded, it ſhall be lawful for ſaid treaſurers, and they are required, in their own names, to commence and bring actions, in any courts of record at Dublin againſt ſuch executors or adminiſtrators, or other perſons as aforeſaid, for recovery of the ſame; and after deducting the expence of recovering, the treaſurer ſhall account for remainder.

Three commiſſioners receipt a diſcharge; payment pleaded or in evidence, and allowed out of effects.

On non-payment 21 days after demand action by treaſurer in court of record; to account for reſidue.

Seven commiſſioners may compound ſuits for penalties in contracts;

not leſs than the damage with expences.

LI. *ſect.* 51. It ſhall be lawful for ſaid commiſſioners, or any ſeven or more, from time to time, to compound and agree with any perſons, againſt whom ſaid commiſſioners or committees, or any five or more, ſhall bring, or cauſe to be brought, any actions, or ſuits for penalties in any contracts, on account of any breach or non-performance of any ſuch contracts, for ſuch ſums as they, or any ſeven or more, think proper; ſo as the ſum ſo compounded and agreed for be not leſs than the injury or damage ſuſtained by the breach or non-performance of ſuch contracts, and all coſts, charges, and expences occaſioned thereby.

LII. *ſect.*

LII. *ſect.* 52. All penalties and forfeitures by this act impoſed (where the manner of levying and recovering is not hereby otherwiſe particularly directed) ſhall be levied and recovered by reaſonable and adequate diſtreſs and ſale of offenders goods and chattles, under hand and ſeal of a juſtice of peace, as the caſe may be, which warrant ſuch juſtice is impowered and required to grant, upon confeſſion of parties, or evidence of any one or more credible witneſſes upon oath (which oath ſuch juſtice is required to adminiſter) and the penalties and forfeitures, when recovered, after rendering the overplus, if any be) upon demand to parties whoſe goods and chattles ſo diſtrained and ſold, charges of diſtreſs and ſale being firſt deducted, ſhall be paid to the treaſurer, and applied towards purpoſes of this act; and in caſe ſufficient diſtreſs cannot be found, and ſuch penalties or forfeitures not paid, it ſhall be lawful for ſuch juſtice, and he is required, by warrant under hand and ſeal to commit ſuch offenders to the houſe of correction not exceeding two months.

Penalties, not otherwiſe directed, levied by adequate diſtreſs and ſale by a juſtice's warrant.

paid to treaſurer for purpoſes of the act, deducting charges,

for want of diſtreſs committed not above 2 months.

LIII. *ſect.* 53. No proceeding touching conviction of any offenders againſt this act, or any order, matter, or thing tranſacted in or relating to execution of this act, ſhall be vacated or quaſhed for want of form, or removed by *certiorari*, or any other writ or proceſs whatſoever, in any courts of record at Dublin; any law or ſtatute to the contrary notwithſtanding.

Proceedings not quaſhed for form, nor removed by *Certiorari*, &c.

LIV. *ſect.* 54. If any perſon think himſelf aggrieved by any thing in purſuance of this act, and for which no particular relief already appointed, ſuch perſon may appeal to any general quarter-ſeſſions for the county or place, wherein the cauſe of complaint ſhall ariſe, and within three months after the cauſe ariſen, ſuch appellant firſt giving twenty-one days notice at leaſt in writing of intention to appeal, and of the matter thereof to the clerk or treaſurer to ſaid commiſſioners, and within two days after ſuch notice, entering into recognizance before ſome juſtice of the county or place, with two ſufficient ſureties, conditioned to try ſuch appeal at ſaid ſeſſions, and abide the order, and to pay ſuch coſts as awarded at ſuch quarter-ſeſſions; and ſaid juſtices, upon due proof of ſuch notice, and of ſuch recognizance, ſhall hear and finally determine the cauſes and matter of ſuch appeal in a ſummary way, and award ſuch coſts to parties appealing, or appealed, as they think proper; and the determination of ſuch quarter-ſeſſions ſhall be finally binding and concluſive to all intents.

Appeal to ſeſſions in 3 months,

on 21 days notice in writing to clerk or treaſurer,

and recognizance with 2 ſureties in two days after,

coſts awarded,

determination final.

LV. *ſect.* 55. Where any diſtreſs made for any money to be levied by this act, the diſtreſs itſelf ſhall not be deemed unlawful, nor the parties deemed treſpaſſers on account of any default or want of form in any proceedings relating thereto; nor deemed treſpaſſers *ab initio* on account of any irregularity, afterwards done by the party or parties diſtraining, but the perſon, aggrieved by ſuch irregularity, may recover full ſatisfaction for the ſpecial damage in action on the caſe.

Diſtreſs not unlawful for form, nor parties treſpaſſers,

ſatisfaction in *Caſe* for irregularity.

LVI. *ſect.* 56. No plaintiff ſhall recover in any action for any ſuch irregularity, treſpaſs, or other proceedings, if tender of ſufficient amends made by or on behalf of the parties, who committed, or cauſed to be committed, any ſuch irregularity, treſpaſs, or wrongful proceedings, before ſuch action brought; and in caſe no ſuch tender made, it ſhall be lawful for defendants in any ſuch actions, by leave of the court before iſſue joined to pay into court ſuch ſum of money as he or they ſhall think fit; whereupon ſuch proceedings, or order, and judgments ſhall be had, made, and given in and by

Not if tender of ſufficient amends;

if no tender defendant by leave may before iſſue pay into court.

ſuch court, as in other actions, where defendant allowed to pay money into court.

Fourteen commiſſioners may mortgage for years funds in each diviſion, not above 1 third of income,

LVII. *ſect.* 57. To raiſe a ſum ſufficient in each of ſaid five diviſions for purpoſes of this act, it ſhall be lawful for ſaid commiſſioners, or any fourteen, to mortgage any part of funds ariſing from this act, in each of ſaid five diviſions, for any number of years; provided the funds ſo mortgaged, ſhall not in the whole exceed one third of the annual income in each of ſaid five diviſions; and the ſum, ſo raiſed in each diviſion, ſhall be applied and diſpoſed of in the diviſion, upon which the ſame ſo raiſed.

apply the ſum in the diviſion.

Purchaſe buildings or ground for publick uſe, paying as agreed with 14 commiſſioners, or recompence as by a jury, on ſummons by 7 commiſſioners,

LVIII. *ſect.* 58. Said commiſſioners may contract with owner of any houſe or building, or piece of ground, for purchaſe for uſe of the publick, paying for the ſame out of the monies ariſing from ſaid rates ſuch ſum, as ſhall be agreed upon between any fourteen of them and ſuch owner; and in caſe they cannot agree, paying a reaſonable recompence, aſcertained upon the oath of twelve indifferent men of the city and pariſhes aforeſaid (which oath any two commiſſioners are impowered to adminiſter) and they, or any ſeven, are impowered from time to time to iſſue a ſummons under hands and ſeals, requiring an indifferent jury of twenty-four of the city or pariſhes aforeſaid, to attend at ſuch time and place as in ſuch ſummons; and the commiſſioners ſhall at ſuch time and place ſwear twelve of the twenty-four, who ſhall be drawn by ballot by the clerk to commiſſioners; which twelve ſhall be a jury for aſcertaining value of ſuch houſe or building, whoſe valuation concluſive to all; and the commiſſioners, or any fourteen, ſhall order ſuch houſe or building to be taken down and removed, and the expences attending taking down ſhall be paid by the commiſſioners out of the monies ariſing from ſaid rates; and the ſite of ſuch houſe or building, or of ſuch part of ſuch building, and ſuch parcel of land, ſo purchaſed, ſhall be laid into ſaid ſtreets ſquares, and paſſages, for widening, enlarging, and rendering more commodious the ſame, as the commiſſioners think proper, and ever after be deemed part of ſaid publick ſtreets, ſquares, and paſſages, and be paved, repaired, and cleanſed, in ſame manner as the other ſtreets, ſquares, and paſſages, in the city and pariſhes aforeſaid, are directed, and ſhall be ſubject to all powers herein contained relative to ſaid ſtreets, ſquares, or other paſſages in the city and pariſhes.

12 drawn by ballot by the clerk,

valuation concluſive.

14 may remove ſuch buildings,

the ſite and land laid into the ſtreets, &c.

deemed part, paved and cleanſed as others, and ſubject to like powers.

Not to make new ſtreets or paſſage.

LIX. *ſect.* 59. Nothing herein ſhall extend to impower ſaid commiſſioners, to make new ſtreets or paſſages; any thing herein to the contrary notwithſtanding.

All poſſeſſed or intereſted may treat for purchaſe,

ſell and convey,

agreements valid,

bodies corporate, truſtees, &c. indemnified.

LX. *ſect.* 60. All perſons whomſoever, who are or ſhall be owners or proprietors of, or poſſeſſed of, or intereſted in, any ſuch buildings or hereditaments, may treat and agree with ſaid commiſſioners, or any fourteen, for purchaſe of ſuch buildings or hereditaments, or any part thereof, or for their intereſt therein, for purpoſe aforeſaid, and may ſell and convey the ſame, as occaſion ſhall require; and all agreements and conveyances, ſo made, ſhall be valid to all intents whatſoever; any law, uſage, or cuſtom to the contrary notwithſtanding: and all bodies politick, corporate, or collegiate, feoffees in truſt, executors, truſtees, and other perſons, are hereby indemnified, for what they do in purſuance of this act.

Where ſtreets, &c. lie in ſeveral diviſions, paving proportioned by 9 commiſſioners.

LXI. *ſect.* 61. Where any ſtreet, quay, alley, ſquare, bridge, or lane ſhall be within two or more diviſions, the commiſſioners are impowered to proportion the expence for paving the ſame on the ſaid diviſions, in which the ſame lie, as they or any nine think proper, and to order the paving to be executed

executed under direction of whatever committee ſaid commiſſioners, or any nine appoint.

LXII. *ſect.* 62. The commiſſioners or committees ſhall have full power to oblige all inhabitants of quays to keep in proper repair and decent order the walls, that embank the river before their reſpective houſes, and to keep their parapet walls regular and of an even height in ſuch manner, and of ſuch height, as ſaid commiſſioners, or any nine think fit and ſafe; and all ſuch walls ſhall be coped with one even-cut ſtone of mountain grit; and in default thereof the ſaid commiſſioners, or committee of diviſion, are empowered to ſerve the inhabitant with notice in writing, left at his houſe, requiring him to repair, raiſe, or lower ſaid wall before his houſe, and to cope with mountain grit-ſtone as aforeſaid; and in caſe ſuch inhabitant neglect or refuſe to repair, alter, or cope ſaid wall within one month after ſaid notice ſerved, it ſhall be lawful for ſaid commiſſioners or committee in ſuch diviſion, as the ſaid default ſhall ſo happen, to repair, raiſe, lower, and cope ſaid wall, and levy the coſt by ſale of goods and effects of ſaid inhabitant.

Inhabitants of quays to keep walls before houſes in repair, and order parapets regular and even of height as by 9 commiſſioners; coped with cut ſtone, on default, notice in writing, on neglect one month, done by the committee diviſion, and coſt levied by ſale of goods.

LXIII. *ſect.* 63. This ſhall not extend to exonerate the corporation of Dublin, or any perſons by any cuſtom or contract, obliged to build, repair, or keep in order the walls on ſaid river; but ſaid corporation and perſons ſhall be compelled thereto by commiſſioners or committees, in manner before mentioned, as perſons inhabiting quays are ſubject and liable.

Perſons, by cuſtom or contract to repair the walls, not exonerated.

LXIV. *ſect.* 64. The firſt payment by virtue of this act ſhall be made on the 29th of September next.

1ſt payment 29 Sept.

LXV. *ſect.* 65. The powers, veſted by this bill in the commiſſioners, may extend to the liberties of Chriſt-Church and ſaint Patrick's, and to Cavendiſh-Row, Palace-Row, Gardiner's-Row, Great George's Street, Great Britain-Street, Summer-Hill, and Temple-Street; and the liberty of Chriſt-Church annexed to the pariſh of ſaint Michael; the liberty of Patrick's to Nicholas Without; and Cavendiſh-ſtreet, Palace-Row, Gardiner's-Row, Great George's-Street, Great Britain-Street, Summer-Hill, and Temple-Street, annexed to pariſh of ſaint Thomas, as to the powers veſted in the ſeveral proteſtant inhabitants of the ſame, for purpoſes of this act; and the powers veſted in commiſſioners, and ſeveral committees, may ſeverally extend to the ſame, as annexed to the ſeveral pariſhes under the direction of ſaid committees.

Commiſſioners powers extended to liberties, &c.

liberties and ſtreets annexed to pariſhes, for purpoſes of this act.

LXVI. *ſect.* 66. No powers granted in this bill to commiſſioners, or committees, ſhall extend to Sackville-Street, or Marlborough-Street.

Sackville and Marlborough ſtreets excepted.

LXVII. *ſect.* 67. All orders and proceedings of ſaid commiſſioners or committees at meetings ſhall be entered in books kept for that purpoſe; and ſuch orders and proceedings, ſo entered, ſhall be ſigned by the clerks at any meeting of ſaid commiſſioners aſſembled, or a ſufficient *quorum* of them, as the caſe ſhall require, except in caſes of adjournment; and ſuch orders ſhall be deemed and taken original orders; which books ſhall and may be produced and read in evidence in all courts whatſoever.

Proceedings entered, ſigned by clerks at meeting; ſaid order deemed originals; the books evidence.

LXVIII. *ſect.* 68. No act or order of ſaid commiſſioners or committees valid, unleſs at publick meeting, which ſhall conſiſt of either three, five, ſeven, or nine, as neceſſary under any part of this act.

Acts or orders at publick meeting of ſufficient number.

LXIX. *ſect.* 69. All powers and authorities of this act, granted to or veſted in ſuch commiſſioners, ſhall and may from time to time be exerciſed by the major part of them, as attend at any publick meeting as before mentioned; and all orders and proceedings of major part of ſuch commiſſioners

Commiſſioners powers by majority at public meeting;

acts of ſame force as by all.

ſioners, preſent at ſuch meetings, ſhall have ſame force and effect, as if by all ſuch commiſſioners for the time being.

No ſuit for any thing done till 8 days notice in writing to clerk or treaſurer,

nor continued unleſs at peril, after tender of ſatisfaction;

commenced in 6 months,

laid and tried in the county;

general iſſue, and matter in evidence;

appearing otherwiſe verdict for defendant;

LXX. *ſect.* 70. No action or ſuit ſhall be commenced againſt any perſons for any thing done in purſuance of this act, until eight days notice given in writing to clerk or treaſurer to ſaid commiſſioners; nor any action continued, unleſs at peril of the party, after ſufficient ſatisfaction, or tender thereof, made to parties aggrieved; or any action inſtituted or commenced, unleſs within ſix calendar months next after the fact committed, for which ſuch action or ſuit brought; and every action ſhall be brought, laid, and tried in the county where ſuch matter and things reſpectively committed or done, and not in any other; and defendants in ſuch actions and ſuits, may plead the general iſſue, and give this act and ſpecial matter in evidence at any trials thereupon, and the matter or thing, for which ſuch action or ſuit ſo brought, was done in purſuance and by authority of this act; and if ſo done, or if ſuit brought before eight clear days notice as aforeſaid, or ſufficient ſatisfaction made or tendered as aforeſaid, or if ſuch ſuit not commenced within the time before limitted, or laid in any other county or place, the jury ſhall find for defendant; and if verdict for ſuch defendant, or if plaintiff non-ſuited, or ſuffer a diſcontinuance, or if by default, or upon any demurrer, judgment ſo given for defendant, in any of the caſes aforeſaid, ſuch defendant ſhall have treble coſts, and ſuch remedy for recovering the ſame, as any defendant may have for coſts in anyother caſes by law.

on verdict for defendant, non-ſuit, diſcontinuance, judgment on default or demurrer, treble coſts, with uſual remedy.

Coſts of the act firſt paid.

LXXI. *ſect.* 71. Coſts and charges of preparing, drawing, obtaining, and paſſing this act ſhall be paid by ſaid commiſſioners, as ſoon as may be, out of the firſt money ſo received.

Commiſſioners incorporated and named;

a common ſeal;

perpetual ſucceſſion;

ſue and ſued by that name;

take ſecurities or contracts.

LXXII. *ſect.* 72. The commiſſioners ſhall be one body corporate by the name of commiſſioners for paving the ſtreets of Dublin; and have a common ſeal by them appointed; and they and their ſucceſſors, elected and aſſociated to them as by this act directed, ſhall have perpetual ſucceſſion, and may ſue and be ſued in all courts of law or equity in any cauſes or ſuits by or againſt them by that name; and may take any ſecurities upon any contracts by them for any purpoſes herein before or after mentioned, in order to more effectual carrying this act into execution.

Juſtices precept to return 48 citizens,

24 ſworn market jury;

ſworn in court one by one;

any 3 at ſeaſonable hours to viſit markets, &c. and inſpect proviſions;

if unwholſome or bad, fraudulently made up, or in hands

LXXIII. *ſect.* 73. The juſtices of peace for the county of ſaid city at the time of iſſuing precept to the ſheriffs for holding general quarter-ſeſſions for county of ſaid city ſhall from time to time iſſue alſo a precept to ſaid ſheriffs, requiring them to return to ſaid ſeſſions forty-eight of the moſt reſpectable citizens of ſaid city, twenty-four of whom to be ſworn as a market jury for ſaid city; and ſaid ſheriffs are required to ſummon and return forty-eight ſuch citizens for purpoſes aforeſaid; and ſaid juſtices ſhall cauſe ſaid market jury to be ſworn in open court, at ſaid ſeſſions, one by one (to wit) that he will well, truly, and diligently execute the office of a market-juror of the ſaid city without favour or affection, malice or ill-will to any perſon or perſons whatſoever. And ſaid market jury for the time being, or any three are required and impowered at ſeaſonable hours to viſit the markets, ſtore-houſes, working-houſes, cellars, and ſhops in the city or liberties, where proviſions or victuals ſold, or made up, or making up for ſale, and to inſpect the quality; and in caſe ſaid jury or any three, at ſuch times find any unwholſome or bad proviſions or victuals, or fraudulently or illegally made up, or in hands of any foreſtallers, regrators, or ingroſſers, ſaid jury

or

or any three are required and impowered to ſeize ſaid proviſions, and the perſons expoſing to ſale, or claiming to be owners, and immediately, or as ſoon as conveniently can be, to carry, or cauſe to be carried before the lord mayor, who is required and impowered to hear, determine, and condemn the ſame, and to diſpoſe of ſaid proviſions as he ſhall think proper, and to fine ſaid perſons any ſum not exceeding ten pounds; ſaid fine levied by diſtreſs and ſale of offenders goods and chattles, by warrant under hand and ſeal of lord mayor; and for want of ſufficient diſtreſs the party to be committed to the common gaol of newgate, without bail or mainprize for one month, or until ſaid fine paid: and each market juror to be ſworn, or any three, ſhall have full power and authority to execute ſaid office, from time of being ſworn, until next market jury ſworn at enſuing general quarter-ſeſſions for county of ſaid city; and if any perſons moleſt or interrupt ſaid market jury, or any of them, in execution of their office, being convicted by indictment or information, puniſhed by fine and impriſonment, as to ſaid court, which tries the offence, ſhall ſeem fit. And if any perſon, duly ſummoned and returned by ſaid ſheriffs to ſerve as a market juror, refuſe, neglect, or omit to appear purſuant to ſaid ſummons, and take the oath aforeſaid, or to execute ſaid office, it ſhall be lawful for the juſtices at ſaid ſeſſions, and they are required to impoſe a fine, not exceeding five pounds, on every ſuch perſon; and the lord mayor is required and impowered to iſſue warrant for levying ſaid fine by diſtreſs and ſale of goods and chattles of ſaid perſon, and to pay over the ſame, or any other fines impoſed under this act, and not particularly applied, to governors of blue-coat hoſpital, for uſe of ſaid hoſpital.

of foreſtallers, &c. to ſeize with venders or owners, and carry before lord mayor, who may condemn and diſpoſe, and fine not above 10l. by diſtreſs and ſale on his warrant, or committed to newgate 1 month, or till payment: market jury to act till next ſworn at ſeſſions; if moleſted, fine and impriſonment on conviction by indictment or information; juror not appearing or acting fined not above 5l. by diſtreſs and ſale on lord mayor's warrant; paid with unapplied fines to blue coat hoſpital.

LXXIV. *ſect.* 74. Whereas ſeveral acts paſſed in the fourth and ſixth years of George the firſt, and third of George the ſecond, for paving and cleanſing the city of Dublin; ſaid commiſſioners, or any ſeven or more, veſted with full and ſufficient power and authority to enforce the execution of ſaid acts by ſuch proper ways and means, as to them ſeem moſt proper and convenient.

4 G. 1. c 11. 6 G. 1. c. 15. and 3 G. 2. c. 13. executed by 7 commiſſioners.

LXV. *ſect.* 75. After the ſixth day of June next, all clauſes and proviſions in one other act 29 G. 2. intituled, *an act for making more effectual the ſeveral acts paſſed for repairing and amending the ſtreets and highways in and about the city of Dublin*, which relate to breadth of wheels of carts, and waggons drawn by two or more horſes, or beaſts of draught, ſhall, after paſſing this act, be conſtrued to extend to, and ſhall extend to carts, drays, and waggons drawn by one horſe or beaſt of draught only, in ſame manner as they now extend to thoſe drawn by two or more.

29 G. 2 c. 13. extended to carts, &c. drawn by one horſe.

LXXVI. *ſect.* 76. This act deemed a publick act, and judicially taken notice of as ſuch by all judges, and juſtices, and other perſons without ſpecially pleading the ſame.

A publick act.

LXXVII. *Stat.* 13 & 14 *Geo.* 3. c. 34. *ſect.* 1. From and after the 1ſt of May 1774, ſuch parts of an act 5 G. 3. intituled, *an act for the more effectually amending the publick roads*; which relate to the county of Dublin, except the clauſe for repealing the acts therein mentioned, ſhall be repealed and made null and void.

5 G. 3. c. 14. repealed.

LXXVIII. *ſect.* 2. All that part of the liberty of St. Sepulchre's, within barony of Upper-croſs, which lies to the north of the circular road, including the precincts of the cathedral of St. Patrick's, ſhall be ſeparated from ſaid barony, and

Liberty of St. Sepulchre's ſeparated from Upper-croſs,

and made a diſtinct barony;

and be to all intents and purpoſes a diſtinct barony, and called and known by the name of the barony of St. Sepulchre's; and be rated by the treaſurer, as containing one thouſand five hundred and ſeventy-two acres, in the apportioning of all money preſented to be raiſed on the county at large. And

ſo of Donore;

ſuch parts of the ſaid barony of Upper-croſs, as are known by the name of the liberty of Donore, ſhall be ſeparated from ſaid barony, and be to all intents and purpoſes a diſtinct and ſeparate barony, and called by name of the barony of Donore, and rated by the treaſurer as containing two thouſand eight hundred and ninety acres, in apportioning all money preſented on

remainder a diſtinct barony;

the county at large. And the remaining part of ſaid barony ſhall be a diſtinct and ſeparate barony in itſelf, and called by name of the barony of Upper-croſs, and rated by the treaſurer as containing nineteen thouſand and forty-two acres, in apportioning all money preſented on the county at

Rathdowne barony.

large. And the half barony of Rathdowne ſhall be called by name of the barony of Rathdowne.

Preſentment for roads to be repaired

LXXIX. *ſect.* 3. It ſhall be lawful for grand juries of county of Dublin, at Eaſter and Michaelmas terms every year, to preſent any publick road in ſaid county, or any part, to be repaired, or any part of any publick road,

or widened not above 31 feet nor under 21;

not of breadth of twenty-one feet in the clear, to be widened to any breadth not exceeding thirty-one feet, nor leſs than twenty-one in the clear; and alſo

preſentment for new roads;

to preſent any new road to be laid out and made from market-town to market-town, or from market-town to the ſea, through any part of ſaid county, except through the deer-park of any perſon, or through any field or garden encloſed with a wall five feet high at leaſt, built with lime and ſtone, or bricks, or through any houſe or offices built with lime and ſtone, or bricks, or through any dwelling houſe of twenty feet in length, and

overſeers appointed,

fourteen in breadth, in the clear, or through orchards of ſix years growth, unleſs conſent of the owner firſt obtained; and to appoint two or more perſons, who can read and write, to overſee, and carry into execution, every ſuch preſentment: and further, to preſent all ſuch ſums as appear neceſſary, to be raiſed upon any of the baronies of Balrothery, Coolock, Caſtlenock, Nether-croſs, Rathdowne, Newcaſtle, Upper-croſs, ſaint Sepulchre's, and Donore, to be expended in repairing any publick road, or in widening or

wages 1s. per l.

making any publick road in ſuch baronies as aforeſaid, and in paying wages to overſeers appointed as aforeſaid, not exceeding one ſhilling in the pound for each pound preſented to be expended by ſuch overſeers.

Affidavit for preſentment for repair.

LXXX. *ſect.* 4. No money ſo preſented for repairing any road, unleſs an affidavit, ſworn by two credible perſons who can read and write, before one of the judges of king's bench at Eaſter or Michaelmas term, or any two juſtices for ſaid county, in following form, be firſt laid before grand jury.

*County of Dublin.* } *of and of do ſwear, that they have lately meaſured perches of the road from to between and all in the barony of in this county, and that it will require the ſum of effectually to repair the ſaid perches with gravel or ſtones, being at the rate of by the perch, which they verily believe is the leaſt the ſaid perches can be effectually repaired for.*

And

And no part of money ſo preſented ſhall be paid on account of any preſentment for repair of any road by the treaſurer, until the affidavit of one of the overſeers, who can read and write, appointed by the grand jury, ſworn before one of the judges of the king's bench, in following form, ſhall be allowed by grand jury, and judges of ſaid court.

Overſeer's affidavit.

*County of* Dublin. } *Whereas the ſum of was preſented at term, in the year for ſaid county, to be expended in repairing perches of the road from to between and in the barony of at the rate of . by the perch, and the ſum of for overſeer's wages, at pence for each pound. And whereas and were appointed overſeers of the ſame. Now I of do ſwear, that I have expended, faithfully and honeſtly, the ſum of in repairing effectually with gravel or ſtones perches of the ſaid road, which ſum, with my wages, at pence for each pound, makes in the whole the ſum of and that every part of the ſaid perches is twenty-one feet wide in the clear, within the ditches, drains, or fences, and is ſixteen feet wide, with gravel or ſtones; and that I expended the ſaid ſum of between the twenty-fifth day of March and the twenty-fifth day of Auguſt, in the year*

Except where the road preſented to be repaired, is encloſed with walls built with lime and ſtones, or bricks, or dwelling-houſes twenty feet in length, and fourteen in breadth in the clear, and is not twenty-one feet wide between the ſame; in which caſe inſtead of the words, [*twenty-one feet wide in the clear, within the ditches, drains, or fences*] ſhall be inſerted theſe words, [*encloſed on both ſides with walls built with lime and ſtones, or bricks, five feet high, or with dwelling-houſes of twenty feet in length, and fourteen feet in breadth in the clear*;] and no part of ſaid money ſo preſented, ſhall be paid, until thoſe overſeers, who ſhall not have ſworn to the expenditure, who can read and write, ſhall alſo make oath in form following, after firſt reciting the preſentment.

*County of* Dublin. } *I or we the other overſeer or overſeers in the above recited preſentment, do ſwear, that we have carefully viewed the ſaid road* [as it ſhall happen to be] *ſo ſworn to be repaired by ſince the ſame has been finiſhed, and that to the beſt of our judgment and opinion, the ſame has been ſufficiently repaired; and that we believe the money ſworn by the ſaid to have been expended in repairing ſaid road has been faithfully and honeſtly laid out.*

Overſeers for 600 perch each yearly at Eaſter to keep in repair and from nuiſances.

LXXXI. *ſect.* 5. It ſhall be lawful for grand jury of county of Dublin every Eaſter term to appoint, not exceeding one year, any overſeers, to keep in repair and free from illegal nuiſances, any number of perches of any road, not exceeding ſix hundred perches for each overſeer, and alſo to preſent at Eaſter or Michaelmas term every year, any money, not exceeding in the whole, for ſuch ſix hundred perches, ſeven pounds ten ſhillings, which ſhall appear by affidavit to the grand jury, and king's bench, to have been expended in keeping in repair any ſuch road, or in removing illegal nuiſances upon any part of ſuch ſix hundred perches.

LXXXII. *ſect.* 6. No money ſhall be ſo preſented, for widening any publick road, unleſs an affidavit, ſworn by two credible perſons who can read and write, before one of the judges of king's bench, or two juſtices for ſaid county, in form following, firſt laid before grand jury.

Affidavit for widening.

*County of* Dublin. } *of and of do ſwear, that they have lately meaſured perches of the road from to between and all in the barony of in the ſaid county, and that no part of ſaid perches is twenty-one feet wide in the clear of ditches, drains, or fences, or enclоſed on both ſides with walls built with lime and ſtones, or bricks, five feet high, or dwelling-houſes of twenty feet in length, and fourteen feet in breadth in the clear, and that it will require the ſum of to widen the ſaid perches to the breadth of in the clear, and to make fences inſtead of thoſe that ſhall be taken down and deſtroyed in order to widen the ſame; and that the ſaid ſum is a reaſonable charge, and is the leaſt that the ſaid work can be effectually done for.*

No money ſhall be paid by the treaſurer on account of ſuch preſentment, unleſs an affidavit of one of the overſeers who can read and write, ſworn before one of the judges of king's bench in form following, allowed by grand jury and king's bench.

Overſeer's affidavit.

*County of* Dublin. } *Whereas the ſum of was preſented by the grand jury of ſaid county at term in the year to be expended in widening perches of the road from to between and all in the barony of in ſaid county, and the ſum of for overſeers wages, at pence for each pound. And whereas and were appointed overſeers of the ſame, now I of do ſwear, that I have faithfully and honeſtly expended the ſum of in widening perches of ſaid road, which ſum, with my wages at pence for each pound, makes in the whole the ſum of and that every part thereof is now feet wide in the clear, of ditches, drains, or fences, and that new fences are made inſtead of thoſe that have been taken down or deſtroyed, in order to widen the ſame.*

And no part of ſaid money ſo preſented ſhall be paid, until ſuch overſeers, who ſhall not have ſworn to the expenditure, and can read and write, ſhall alſo make oath in form following, after firſt reciting the preſentment.

Overſeer's affidavit.

*County of* Dublin. } *I or we the other overſeer or overſeers in the above recited preſentment, do ſwear, that we have carefully viewed the ſaid road ſo ſworn to be widened by ſince the ſame has been finiſhed; and that to the beſt of our judgment and opinion, the ſame has been properly widened, and that the new fences are ſufficiently made, and that we believe the money ſworn by the ſaid to have been expended in widening ſaid road, has been faithfully and honeſtly laid out.*

Where a boundary, half preſented,

LXXXIII. *ſect.* 7. If any part of any publick road be the boundary between any two baronies in ſaid county, or any barony in ſaid county, and in any adjoining county, or between any barony in ſaid county, and county

of

of city of Dublin, ſo as that one ſide of each road is in one barony, the other in another, or in county of the city, it ſhall not be lawful for any grand jury to preſent more than half the ſum neceſſary for repairing or widening ſuch road, and half overſeer's wages, to be raiſed on any ſuch barony to which ſuch road the boundary; and in the affidavit, before the money can be preſented for repairing or widening, and alſo in the affidavit by the overſeer who has expended, before the money can be paid, inſtead of the words [*all in the barony of* ] ſhall be inſerted theſe words, [*which ſaid perches are the mearing between the baronies of and in ſaid county, or between the barony of in ſaid county, and the barony of in the county of or between the barony of and the county of the city of Dublin*] as the caſe ſhall happen; and no money be paid by the treaſurer on account of ſuch preſentment, unleſs an equal ſum preſented at the ſame term for the adjoining barony, if in the ſame county, or unleſs it appear by affidavit to king's bench and grand jury, that as much money has been ſo preſented for ſuch barony, ſhall have been preſented for doing the other part of ſaid work by the grand jury of adjoining county or counties, or grand jury of county of city of Dublin.

equal preſentment in the adjoining.

LXXXIV. *ſect.* 8. No perſon ſhall encloſe, or add to field or encloſure, any part of any publick road, or any ſpot adjoining, now belonging to, or deemed a part of ſaid publick road; and in caſe any perſon ſhall ſo take in, encloſe, or add, it ſhall be lawful for any two juſtices within their juriſdiction, each having a real eſtate of one hundred pounds a year in ſaid county, on view or oath of one credible witneſs, by warrant under hands and ſeals, to order ſuch encloſure, whether wall or ditch, to be pulled down, and to levy the expence, together with forty ſhillings on offender's goods and chattles.

No part of road encloſed; encloſures pulled down by warrant of 2 juſtices of 100l. a year, penalty 40s. and coſt.

LXXXV. *ſect.* 9. It ſhall be lawful for grand jury of ſaid county, at Eaſter or Michaelmas term every year, to preſent ſuch ſums as neceſſary to lay out and make ſuch new road through ſaid county, or any part, to make fences thereto, not exceeding one ſhilling each perch of ſuch fence, to be raiſed either upon ſaid county, and expended in laying out and making ſuch new road, or in making fences and paying wages to overſeer, not exceeding one ſhilling in the pound preſented to be expended by ſuch overſeer, or upon any barony in ſaid county, and expended in laying out and making any part of ſuch new road or fences within ſaid barony, and in paying wages to overſeer after rate aforeſaid.

Preſentment for new road and fences at 1s. per perch, wages 1s. per l.

LXXXVI. *ſect.* 10. In every preſentment for new road, the name of the perſon requeſting inſerted; and no ſuch preſentment ſhall be made unleſs it appear by affidavit, before any two juſtices for ſaid county, that a map of ſuch new road has been depoſited with the treaſurer twenty-one days before firſt day of ſuch term, to be inſpected by all whom it may concern, (which map is to be kept by clerk of crown, among the records) and no part of ſuch intended new road is to be made through deer-park, or any field or garden encloſed with a wall five feet high, built with lime and ſtone, or bricks, or through any houſe of twenty feet in length, and fourteen in breadth in the clear; or through any houſe or offices built with lime and ſtone, or bricks, or through orchards of ſix years growth, unleſs conſent of owner or occupier of the land firſt obtained; and a notice, ſetting forth, that an application is intended to be made next term for a preſentment to lay out a road from to diſtinguiſhing the ſeveral lands,

Party named; affidavit of map depoſited 21 days; not through deer-park, &c. notice to occupiers ſerved,

lands, and baronies or barony through which to be made in said county, and number of perches through each town land, personally served upon or left at the house of each occupier of land through which the same is to be made in said county, twenty-one days at least previous; and another such notice posted upon the door of county-court, and of the four-courts, seven days at least previous to first of such term.

and posted 21 days before term at court-house and at four-courts 7 days.

LXXXVII. *sect.* 11. No money shall be presented for new road, unless an affidavit, sworn by two credible persons who can read and write, before one of the judges of king's bench, or two justices for such county, in form following, first laid before grand jury.

Affidavit for presentment for new road.

*County of* Dublin. } *of and of do swear, that it will require the sum of to make perches of the new road lately laid out from to between and all in the barony of in said county, thirty feet wide in the clear at the least, and sixteen feet wide at the least, with gravel and stones, being at the rate of by the perch, which they verily believe is the least the said perches can be effectually made for.*

And no part of money so presented shall be paid on account of such presentment by the treasurer until affidavit of one of overseers, who can read and write, appointed by grand jury, sworn before one of the judges of king's bench, in following form, allowed by grand jury and king's bench.

Overseer's affidavit.

*County of* Dublin. } *Whereas the sum of was presented at term in the year to be expended in making perches of the new road from to between and all in the barony of at the rate of by the perch, and the sum of for overseer's wages, at pence for each pound. And whereas and were appointed overseers of the same: now I of do swear, that I have faithfully and honestly expended the sum of in making perches of the said new road, and that the said perches are thirty feet wide at the least in the clear, within the ditches, drains, or fences, and were effectually made sixteen feet wide at the least, with gravel or stones, in the year which sum, with my wages at pence for each pound, makes in the whole the sum of*

And no part of said money so presented, shall be paid, until such of said overseers, who shall not have sworn to the expenditure, and who can read and write, shall also make oath in the form following, after first reciting the presentment.

Overseer's affidavit.

*County of* Dublin. } *I or we the other overseer or overseers in the above recited presentment, do swear, that we have carefully viewed the said road, so sworn to be made by since the same has been finished, and that to the best of our judgment and opinion, the same has been effectually made, and that we believe the money sworn by the said to have been expended in said road, has been faithfully and honestly laid out.*

And

And no money ſhall be paid by the treaſurer on account of any preſentment for fences to ſuch new road, unleſs it appear to grand jury by affidavit of one of the overſeers, before one of the judges of king's bench, that the money preſented has been faithfully and honeſtly laid out; and alſo unleſs it appear by affidavit of one of the other overſeers named, that ſuch fences are to the beſt of his judgment and opinion effectually made.

Traverſe.

LXXXVIII. *ſect.* 12. Any perſon aggrieved by any preſentment may traverſe at ſame term in which preſentment made; and ſuch traverſe may be tried at the ſame term, and if not then, ſhall be tried the term enſuing, unleſs good cauſe ſhewed to the contrary: and the jury who try the traverſe ſhall true verdict give, whether any and what damages will accrue thereby to ſuch perſon, which verdict ſhall be concluſive to ſuch perſon; and upon the ſum ſo found for damages being paid, or depoſited with the treaſurer, for his or her uſe, it ſhall be lawful for the overſeer to proceed and make ſuch new road, purſuant to preſentment, without interruption of ſuch perſon; and it ſhall be lawful for the grand jury of ſaid county, to preſent, if they think proper, the ſum found for damages, to be raiſed upon the county, or upon the barony or baronies through which the ſaid road ſhall be made, in proportion to the length it ſhall be made through each; and the grand jury of ſaid county may alſo preſent any old road, or any part, to be ſtopped, where any new road to anſwer the purpoſes of the old one hath been or ſhall be made, except ſuch old roads, concerning which ſuits are now depending either at law or in equity.

tried ſame term or the next;

verdict concluſive,

on payment or depoſit overſeers may proceed;

damages preſented in proportion;

old road ſtopped.

Notice thereof poſted.

LXXXIX. *ſect.* 13. A notice ſhall have been poſted upon the door of the court-houſe of quarter-ſeſſions, and four-courts, the preceding ſeſſions and term, of intention of applying for ſtopping up ſuch old road.

Traverſe.

XC. *ſect.* 14. It ſhall be lawful for any perſon, aggrieved by ſuch preſentment for ſtopping up any old road, to traverſe at the ſame, or next term after, and ſuch traverſe ſhall be tried by a jury; and in caſe ſuch preſentment traverſed, or a verdict found for preſentment, confirmed.

Overſeer's affidavit.

XCI. *ſect.* 15. In every affidavit by overſeer, for accounting for any money expended on any road, bridge, or other publick work, after 1ſt of June 1775, ſhall be added theſe words, [and that no cart, car, or other carriage, was employed in ſaid work, whoſe wheels were of leſs breadth or gage from ſide to ſide on the ſole when worn, than three inches, and that the ſtraiks of the wheels of ſaid cars, carts, or carriages, were not ſet on with ſprigs, or high-headed nails.] And further, that all perſons bringing milk to city or ſuburbs of Dublin, who ſhall after the 24th of June 1775, carry or convey the ſame upon low-backed cars, or any other carriages whatſoever, the wheels of which ſhall not be three inches at leaſt from ſide to ſide at the bottom or ſole, when worn, or if the ſtraiks or iron with which ſaid wheels are bound, ſhall be ſet on with ſprigs or high-headed nails, ſhall forfeit twenty-ſhillings for every time they carry or convey the ſame on ſuch carriages; ſaid penalty to be recovered by any perſon who ſhall inform thereof upon oath before a juſtice of ſaid county, and upon refuſal or neglect of paying, ſuch penalty levied by diſtreſs and ſeizure of ſaid car or carriage, milk, and veſſel, and horſe, or other beaſt of draught, in the ſame manner as directed in an act in the preſent year of his preſent majeſty, intituled, *an act for amending the publick roads.*

Milk cars with narrow wheels,

penalty 20s.

Preſentment for gaol, &c.

XCII. *ſect.* 16. It ſhall be lawful for grand jury of ſaid county, at Eaſter and Michaelmas term every year to preſent, that ſuch ſums as they think neceſſary, ſhall be raiſed upon ſaid county at large, to be expended in building

ing a new ſeſſion-houſe, gaol, work-houſe, or of correction, bridge, or wall neceſſary to ſupport of any road in ſaid county, and for wages of overſeer not exceeding twelve pence each pound, by him expended agreeable to ſuch preſentment; and preſent that ſuch ſums of money as they think neceſſary, ſhall be raiſed upon ſaid county at large to be expended in rebuilding, enlarging, or repairing the ſeſſions-houſe, gaol, work-houſe, or houſe of correction, or any bridge, or part of a bridge, or gullet or pipe under any road, or any wall, or part of a wall, neceſſary to ſupport of any road in ſaid county, or for gravelling or filling over any ſuch, and alſo for wages of the overſeer of ſuch work not exceeding twelve pence each pound, by him expended agreeable to ſuch preſentment: provided no money ſhall be ſo preſented for any abovementioned works, unleſs it appear by affidavit of two credible perſons, who can read and write, before any one of judges of king's bench, or two juſtices of ſaid county, that the ſum is reaſonable, and the work neceſſary, and cannot be effectually executed for a ſmaller ſum, to beſt of their knowledge: and provided that if the affidavit ſhall be for building a new ſeſſions-houſe, gaol, work-houſe, or of correction, or bridge, or for rebuilding an old one, a plan and eſtimate ſhall be annexed to ſuch affidavit, in which the following words ſhall be alſo inſerted after the words ſmaller ſum, [according to the plan and eſtimate hereunto annexed;] and no preſentment for any new bridge, except to be built in the room of an old one, ſhall be confirmed by any judge of king's bench, unleſs it appear, that an affidavit and eſtimate for ſuch new bridge, had been laid before grand jury of ſaid county laſt term, and certified by the foreman, but this ſhall not extend to new bridges preſented inſtead of old ones carried away or deſtroyed, or require to be built; and the whole ſum, or any part, ſave as after mentioned, ſo preſented for ſuch work, ſhall not be paid by the treaſurer on account of any ſuch preſentment, until it appear to the grand jury, and king's bench by affidavit of one of overſeers, who can read and write, before one of the judges of king's bench, that ſaid ſum hath been faithfully and honeſtly expended in execution of the work, for which granted by ſuch preſentment, to beſt of his ſkill and judgment, and until ſaid account allowed by grand jury, and king's bench; and where any preſentment exceeding one hundred pounds, granted for building, rebuilding, or repairing the ſeſſion-houſe, gaol, work-houſe, or of correction, or any bridge, king's bench is impowered to order ſuch part of any ſuch preſentment to be paid by treaſurer to overſeer, as ſworn expended by him, on his affidavit being allowed by grand jury, ſetting forth, that as much of the work is done according to preſentment, as amounts to ſum required; which ſum is limited not to exceed two thirds of preſentment: provided, the overſeer gives ſecurity before king's bench, to finiſh the work purſuant to preſentment.

wages not above 12d. per l. for rebuilding,

gullets, &c.

and wages,

on affidavit,

eſtimate annexed,

and for new bridge,

ſave for thoſe deſtroyed, not paid without overſeer's affidavit;

preſentment above 100l. paid on overſeer's affidavit,

not above two thirds, ſecurity to furniſh.

XCIII. *ſect.* 17. It ſhall not be lawful for grand jury of ſaid county, to preſent more than half the ſum that ſhall appear to them, by affidavit of two credible perſons, before a judge of king's bench, or two juſtices of ſaid county, neceſſary for building, rebuilding, or repairing any bridge, gullet, or pipe, or filling or gravelling over the ſame, the boundary between ſaid and any adjoining county, or between ſaid county and county of city of Dublin; and half overſeer's wages to be raiſed upon ſaid county; and no money ſhall be paid by the treaſurer, on account of ſuch preſentment, unleſs it alſo appear to grand jury, and king's bench, that an equal ſum hath been preſented

Where boundary, half preſented,

and half for adjoining county;

for

for ſaid work on adjoining county; and any juſtice of ſaid county, having freehold in lands, tenements, or hereditaments, of clear yearly value of one hundred pounds at leaſt within ſaid county, may under hand and ſeal order any ſum not exceeding the ſum of five pounds, to be expended in repairing any bridge, ſhore, ſeſſion-houſe, houſe of correction, or gaol within ſaid county, ſuddenly damaged, and which ought to be repaired by ſaid county; if it ſhall appear to him, by affidavit of two credible perſons, who can read and write, that the repair cannot be delayed to next preſenting term without prejudice to the county, as they verily believe; and ſaid juſtice may alſo appoint proper overſeers to repair; and grand jury of ſaid county, at next Eaſter or Michaelmas term, is required to raiſe by preſentment the ſum ſo expended in repairing, upon ſaid county at large, to be paid to overſeers ſo appointed, upon producing ſuch affidavit, and ſuch warrant under hand and ſeal of ſaid juſtice; as alſo an affidavit by one or more of the overſeers, before a judge of king's bench, that they have faithfully and honeſtly expended the ſum ſpecified in affidavit, in repairing ſuch bridge, ſhore, ſeſſions-houſe, houſe of correction, or gaol; and any juſtice qualified as aforeſaid, upon affidavit of two ſubſtantial houſeholders, who can read and write, may in like manner order any ſum not exceeding forty ſhillings, to be expended in repairing any hole or bad ſtep in any road by a ſudden fall of rain or other accident, and may appoint an overſeer to repair the ſame; and grand jury of ſaid county are required to raiſe at next preſenting term upon the barony upon which ſuch road is, the ſum ſo expended, on ſuch overſeer's performing requiſites as abovementioned overſeers of bridges are required, provided no juſtice ſhall make above one ſuch order, between one preſenting term and another; nor for any road in any barony in which he has not a freehold of clear yearly value of one hundred pounds; and no money ſhall be paid by treaſurer to any overſeer appointed by any juſtice, unleſs it firſt appear to grand jury, and king's bench, by affidavit of ſuch juſtice, that he viewed ſuch bridge, road, ſhore, ſeſſions-houſe, houſe of correction, or gaol, before he gave any order for repairing, and that the repair ſeemed neceſſary; and that he viewed the ſame ſince repaired, and that the work ſeemed well executed, and the whole of the money honeſtly expended, and that he has an eſtate of freehold in the county, of clear yearly value of one hundred pounds, and that he made only one ſuch order ſince laſt Eaſter or Michaelmas term.

ſudden damage not above 5l. by a juſtice of 100l. a year;

on affidavits;

ſo for bad ſteps, not above 40s.

but one ſuch order;

juſtice's affidavit.

XCIV. *ſect.* 18. It ſhall be lawful for grand jury of ſaid county, at Eaſter or Michaelmas term, or ſeſſions, every year, by preſentment to raiſe on ſaid county any ſum not exceeding twenty pounds, for building or repairing of gallowſes, or bolts, ſhackles, ſtocks, whipping poſts, ducking-ſtools, or pillories, mile-ſtones, or finger-poſts; and alſo any ſum neceſſary for conveying any priſoner accuſed of a capital offence, to county gaol, ſo as the ſame do not exceed ſix pence each mile every ſuch priſoner ſhall be conveyed to ſuch county gaol; and it ſhall be lawful for grand jury of ſaid county, at Eaſter or Michaelmas term every year by preſentment, to raiſe on ſaid county ſuch ſums as they judge neceſſary, for recovering publick money from treaſurers, collectors or receivers, their executors, adminiſtrators, or ſureties, or executors or adminiſtrators of ſuch ſureties; and ſuch ſums as neceſſary to proſecute ſuits for recovery of any ſums preſented under this act.

Preſentment yearly not above 20l. for gallows, &c.

for conveying priſoners 6d. per mile;

for recovering publick money, and for ſuits.

XCV. *ſect.* 19. No ſum ſhall be paid by the treaſurer upon account of any ſuch preſentment, until it appear to the grand jury and king's bench, by affidavit

affidavit of one of the perſons to whom ſuch ſum granted, ſworn before one of judges of king's bench, that ſuch ſum hath been faithfully and honeſtly expended agreeable to preſentment.

For foot-paths 3 feet broad within 5 miles;

XCVI. *ſect.* 20. It ſhall be lawful for grand juries of county of Dublin, in Eaſter and Michaelmas terms every year, to preſent a foot-path not exceeding three feet in breadth, to be made on either ſide of any road within five miles of the Tholſel; and alſo by preſentment to raiſe upon any barony,

2s. per perch on barony;

ſuch ſums, not exceeding two ſhillings *per* perch, as they think neceſſary to be expended in making or repairing foot-paths, with ſtyles, not leſs than three feet wide, on any road, or along the ſide in ſaid barony, ſubject to ſuch method of account as preſentments for publick roads by this act; but

not through deer-park, &c.

ſaid foot-path ſhall not paſs through deer park, or any fields, or garden incloſed by a wall five feet high at leaſt, built with lime and ſtone, or bricks, or any houſe or offices built with lime and ſtone, or bricks, or any dwelling-houſe of twenty feet in length and fourteen in breadth in the clear, or through orchards of ſix years growth, unleſs conſent of owner or occu-

traverſe;

pier be firſt obtained; and that whoever aggrieved, ſhall be allowed to traverſe in ſame manner as before directed, with regard to making new roads: and if any perſon ſhall ride or drive any cattle knowingly, willingly, or unneceſſarily on any ſuch foot-path, ſuch perſon ſhall, upon conviction by oath of one credible witneſs before any one juſtice having freehold of clear yearly value of one hundred pounds at leaſt within ſaid county, within his juriſdiction, or upon view of ſuch juſtice, for every ſuch offence forfeit a

penalty 10s.

ſum not exceeding ten ſhillings, levied by warrant under hand and ſeal of ſuch juſtice, by diſtreſs and ſale of the cattle, or goods and chattles of offender; one moiety to informer, the other to the juſtice towards keeping

appeal to ſeſſions.

ſaid foot-path in repair; and any perſon aggrieved by act of any magiſtrate, ſhall have power of appealing to next general ſeſſions, there finally determined as in caſe of ſervants wages.

Repreſentment for other work;

XCVII. *ſect.* 21. Whenever any ſum preſented, ſhall not be expended agreeable to preſentment, and accounted for within two years, it ſhall be lawful for grand jury next preſenting term, to re-preſent ſuch ſum then in treaſurer's hands, to be expended on ſome other work in the barony, upon which the former was preſented, or in the county, if to be raiſed on the

affidavit of expenditure not allowed, after 2 years; preſentment for arrears in reſpective baronies.

county at large; and no affidavit accounting for expenditure, ſhall be received or allowed after two years: and it ſhall be lawful for grand jury, at Eaſter and Michaelmas terms every year, to preſent all ſuch ſums as now unpaid, or in arrear, and ſhall appear to grand jury and king's bench, upon affidavit, to have been actually expended by any overſeers appointed by former acts, out of any of ſaid baronies of Balrothery, Coolock, Caſtleknock, Nethercroſs, Newcaſtle, and Rathdowne, to be raiſed and levied on ſuch diſtrict, ward, or denomination as originally required by treaſurers warrant to be levied upon, according to county book or table herein mentioned; and to preſent all ſuch ſums as now in arrear, and ſhall appear to grand jury and king's bench, upon affidavit, actually expended by any overſeers appointed by former acts, out of the barony of Uppercroſs, to be raiſed and levied on ſuch diſtrict, ward, or denomination of the baronies of Uppercroſs, ſaint Sepulchre's, and Donore, conſtituted baronies by this act, as originally required by the treaſurers warrant to be levied upon, in proportion following; upon the barony of Uppercroſs as containing twenty-nine thouſand two hundred and eighty-one acres; upon ſaint Sepulchre's as containing four thouſand

ſand ſix hundred and ſeventy-eight acres; and upon Donore as containing five thouſand ſeven hundred and eighty acres, according to ancient valuation of ſaid diſtricts; and to preſent all ſums as now in arrear, and ſhall appear to grand jury and king's bench, upon affidavit, actually expended by any overſeers appointed by former acts, out of the county at large, to be raiſed and levied on ſuch diſtrict, ward, or denomination of the county as originally required by treaſurer's warrant to be levied upon, all which ſums ſhall be paid to the different overſeers who have expended.

XCVIII. *ſect.* 22. No arrears uncollected or unpaid longer than five years laſt, ſhall be preſented; and no more than one half of each ſum remaining unpaid under ſaid preſentments, ſhall be preſented at any one preſenting term; and no ward or conſtablewick obliged to pay more of ſaid arrears, than they really and truly are in arrear for their reſpective proportions; it being the true intent and meaning, that each ward or conſtablewick ſhall pay and bear its own proportion of ſaid arrears, ſo far as the ſame may be preſented and raiſed from time to time; if it appear to any judge, upon due proof by two credible perſons upon oath, at any term within one year after any quere on any preſentment, by which money granted has been diſcharged, that the court was deceived by any affidavit for diſcharging ſuch quere, and that the money was not expended agreeable to preſentment, the king's bench may, notwithſtanding ſuch quere, diſcharge, fine or iſſue proceſs againſt overſeers in ſuch preſentment, as if the quere not diſcharged.

No arrears after 5 years; only half in a term; each ward to bear a proportion. Where proceſs againſt overſeer, tho' quere diſcharged.

XCIX. *ſect.* 23. It ſhall be lawful for the juſtices of king's bench, in term, to order warrants, in nature of an execution, to the high ſheriff, or other officer lawfully authorized, impowering by ſale of goods and chattles, or a ſufficient part, or by rents, iſſues, and profits of lands and tenements of any ſuch treaſurer, collector, or other perſon impowered to collect publick money, or their executors and adminiſtrators, or of their ſureties, or executors and adminiſtrators of ſuch ſureties, who ſhall not have accounted for, and paid, or expended the publick money, and ſhall be found in arrear for the ſame, or any part, to raiſe, levy, and collect ſuch ſums for which ſo in arrear, and pay the ſame, when levied, to the then treaſurer; for collecting which, ſuch high ſheriff, or other officer lawfully authorized, ſhall be entitled to receive two ſhillings for every pound he ſhall ſo collect, levied in manner aforeſaid, from ſuch perſons againſt whom ſuch warrant ſhall iſſue: and it ſhall be lawful for the king's bench to enquire of, hear, and determine all and every offence, matter, and cauſe that ſhall ariſe by reaſon of this ſtatute, and to lay on ſuch reaſonable fines as thought meet; which fines ſhall be levied by the high ſheriff, or under ſheriff, or collector of any barony, or deputy, as the court ſhall direct, as all county or barony-taxes are hereby appointed to be levied, and paid to the treaſurer, to be expended as grand jury of ſaid county ſhall direct, after deducting two ſhillings in the pound for levying.

Warrants of B. R. to levy arrears of publick money; paid to treaſurer, fee 2s. per l. fines by B. R. levied as county or barony taxes, paid to treaſurer, expended as by grand jury, deducting 2s. per l.

C. *ſect.* 24. Whereas many preſentments remain unpaid, from money raiſed having been ſecreted and carried away by Charles Alder, late treaſurer, it ſhall be lawful for grand jury of ſaid county, next Eaſter or Michaelmas, or any future Eaſter or Michaelmas term, within four years after the firſt of May, 1774, to raiſe by preſentment ſuch ſums of money off the ſeveral baronies reſpectively, and off the county at large, as ſhall appear to them to have been expended by overſeers appointed heretofore by preſentment for that purpoſe, or due by preſentment, who by failure of ſaid treaſurer have never been paid the money preſented for uſes aforeſaid; provided no more

Preſentment at Eaſter or Michaelmas in 4 years, for money unpaid by late treaſurer;

half each ſum one term; applied when recovered as barony or county preſentments.

than half each ſum remaining unpaid by ſaid Charles Alder ſhall be preſented at any one preſenting term within ſaid four years: and it ſhall be lawful for the grand jury at Eaſter or Michaelmas term in any year, to preſent ſuch ſums as hereafter recovered from ſaid Charles Alder, his executors or adminiſtrators, or his ſureties, their executors or adminiſtrators, to be expended in works in the barony upon which the former ſum was preſented, or in the county, if to be raiſed on the county at large, to ſuch uſes as county preſentments.

Preſentment over and above allowances.

CI. *ſect.* 25. No ſuch preſentment made or allowed, unleſs the ſum ſo preſented appear due, over and above all payments by ſaid treaſurer, and all juſt allowances whatſoever.

Overſeers appointed not receiving publick money.

CII. *ſect.* 26. It ſhall be lawful for grand jury of ſaid county to appoint overſeers for building or repairing any ſeſſions-houſe, gaol, workhouſe, bridge, gullet, pipe, or wall, neceſſary for ſupport of any road, or for making, repairing, or preſerving any road in ſaid county; and no treaſurer, collector, or other perſon receiving publick money, ſhall on any account be named or appointed overſeer in any preſentment.

On overſeer's death inability to attend oath of the others ſufficient.

CIII. *ſect.* 27. Whenever any overſeer ſhall happen to die, or by ſickneſs or fatality be rendered unable to attend, before preſentment is accounted for, on proof thereof by affidavit to grand jury, and king's bench, or oath of ſurvivor, or ſurvivors of them, or of thoſe who are able to attend, ſhall be ſufficient. And whenever the overſeer appointed by grand jury for any work preſented ſhall happen to die, before he has accounted, and after a part of the money preſented hath been expended by him in the execution thereof, in caſe an affidavit, ſworn by any credible perſon, who can read and write, before a judge of king's bench, in form preſcribed by this act, for the overſeer allowed by grand jury and king's bench, in which affidavit, inſtead of the words [*I have faithfully and honeſtly expended*] ſhall be inſerted theſe words [*to the beſt of his belief and opinion was expended by who is now dead*] the money declared by ſaid affidavit to have been expended, together with wages, if preſented, paid by treaſurer, any thing herein to the contrary notwithſtanding: and it ſhall be lawful for the grand jury, at any of the terms, if it ſhall appear to them, that any of the overſeers have not performed the truſt with propriety and fidelity, to diſcharge ſuch, and appoint in their place ſuch overſeers as ſhall ſeem expedient; who ſhall be conſidered to all intents the ſame as the perſons originally appointed.

Money expended on affidavit;

paid by treaſurer, with wages if preſented.

Overſeers diſcharged, others in their place.

100l. a year at 50l. a term treaſurer's ſalary;

CIV. *ſect.* 28. Grand Jury of ſaid county, at Eaſter and Michaelmas terms every year, impowered to preſent any ſum not exceeding fifty pounds each of ſaid terms yearly, to be paid to treaſurer of ſaid county, for his ſalary, in lieu of the twenty pounds yearly, which he now receives; and alſo, that the treaſurer ſhall, in caſe the grand jury and king's bench ſhall not approve of the ſecurity given at quarter-ſeſſions, or that no ſecurity there given, but not otherwiſe, upon entering into office, give ſecurity by recognizance with two or more ſufficient ſureties, approved of by grand jury and king's bench, jointly and ſeverally, in ten thouſand pounds, conditioned, that ſuch treaſurer ſhall well and truly execute ſaid office, and account for all ſuch publick money as ſhall come to his hands, when, and as often as required by the grand jury, at every term, or by the juſtices for ſaid county, at every quarter ſeſſions; and in caſe ſaid treaſurer neglects to give ſaid ſecurity, and to produce ſaid ſecurities, he ſhall vacate his office; and the juſtices ſhall next quarter ſeſſions, proceed to election of a new treaſurer; but ſhall not upon

ſecurity by treaſurer in 10000l. to account for money,

or a new one elected next ſeſſions;

upon any account appoint again the former one, who has ſo neglected to give his ſecurity; ſaid treaſurer ſhall make up his accounts, upon oath, of all receipts and payments, at Eaſter and Michaelmas terms every year, and lay them, fairly written, the laſt day of ſaid terms, or ſooner, if required, before the grand jury, to be viewed, allowed, or diſapproved of by ſaid grand jury, who ſhall cauſe the ſame to be entered in county book, with ſuch remarks as they think fit; and ſaid treaſurer ſhall not compound for any money to be raiſed on the publick, nor make any deductions whatſoever for any ſum he ſhall pay to any perſon, but ſuch as he ſhall account for; and if the treaſurer ſhall offend herein, or neglect to make up accounts, or to keep an office open every day (Sundays excepted) eight days immediately after each of the terms in every year, from nine in the morning till three in the afternoon, within the city or precincts of city of Dublin; or ſhall, during that time refuſe to pay amount of any queries diſcharged, if demanded, without fee or reward, (if he have publick money to pay) he ſhall be fined by king's bench, or committed without bail or mainprize to county gaol, at diſcretion of king's bench; and grand jury of ſaid county, at any of the terms, and not elſewhere, ſhall appoint proper perſons for each barony, reſident in ſaid barony, to collect the money preſented upon each of the baronies; as alſo the proportion of ſuch barony ſo preſented on the county at large; and may preſent not exceeding nine pence in the pound as wages for collecting the ſame: ſaid ſum preſented as wages ſhall not be raiſed, unleſs the perſons who ſo collect, enter into recognizance, with two ſufficient ſureties, in ſuch ſum as approved by grand jury at the term, for the collecting and paying off all ſuch publick money, as they are required to collect, to ſuch treaſurer, or his ſucceſſors, treaſurers of ſaid county, on or before the ſecond day of next preſenting term, (which recognizances ſhall be lodged with the clerk of peace, kept amongſt records of the county;) and every collector appointed as aforeſaid, may, by writing under hand and ſeal, appoint deputy collectors, for whom he ſhall be anſwerable; and in caſe the grand jury neglect to appoint a collector for any barony, or a collector appointed ſhall fail to give ſecurity required, the high conſtable of ſaid barony ſhall, to all intents, be deemed collector within his diſtrict; and ſhall, in like manner, on giving ſecurity, and not otherwiſe, be intitled to receive the ſum preſented for collectors fees, as wages for his trouble; and the ſeveral conſtables in ſaid county are required to aid and aſſiſt collectors, deputy collectors, or high conſtable in collecting the publick money ſo preſented, as alſo all perſons impowered to levy publick money; which if any conſtable ſo required ſhall refuſe or neglect, every ſuch conſtable ſhall, upon conviction, by oath of two credible witneſſes, before any two juſtices of ſaid county, within their juriſdiction, forfeit every ſuch offence, a ſum not exceeding ten pounds; levied, with the charges, by diſtreſs and ſale of goods of offender, by warrant of any two juſtices for ſaid county; and all perſons impowered to levy or collect publick money, ſhall and may levy by diſtreſs and ſale of goods and chattles of all ſuch, who refuſe or neglect to pay; and after ſale of ſuch diſtreſs to retain the money, which the perſon ought to pay, rendering the overplus, if any, after deducting one ſhilling in the pound for levying the ſame, or one ſhilling for every warrant.

account on oath at Eaſter or Michaelmas,
laid before grand jury;
entered, with remarks;
no compoſition, or declaration;
office open 8 days after terms from 9 till 3;
treaſurer not accounting, or paying queries, diſcharged, &c.
fined or impriſoned.
Reſident barony collectors appointed by grand jury,
wages not above 9d. per l.
on recognizance with 2 ſureties to collect and pay treaſurer;
may appoint deputies;
on neglect, the high conſtable collector,
and on ſecurity intitled to wages.
Conſtables to aſſiſt levying publick money;
penalty 10l.
publick money levied by diſtreſs and ſale.

CV. *ſect.* 29. If any collector appointed by grand jury of ſaid county ſhall happen to die, before he ſhall have collected the publick money, it ſhall be lawful for the juſtices at quarter-ſeſſions, or any adjournment, to appoint another

On collector's death one appointed at ſeſſions on ſecurity till grand jury appoint.

another fit and proper perſon in the place of ſuch collector deceaſed, upon his giving ſecurity to perform the requiſites aforeſaid, until a collector appointed by grand jury at the terms.

20l. a year preſented for ſecretary, 10l. each term;

CVI. *ſect.* 30. It ſhall be lawful for the grand jury at Eaſter or Michaelmas term every year, by preſentment to raiſe ſuch ſum as they think fit, not exceeding ten pounds each of ſaid terms, making in the whole twenty pounds a year on ſaid county at large, for a ſecretary for drawing and entering preſentments, and attending ſuch grand jury during the terms; and to preſent any ſum, not exceeding ten pounds at each of the quarter-ſeſſions, to be paid to the clerk of peace, ſheriff, and gaoler, for diſcharging priſoners without fees, who ſhall be recommended and preſented purſuant to an act of parliament now in being; and alſo any ſum not exceeding five pounds at each of ſaid quarter-ſeſſions, making in the whole twenty pounds a year, to be paid to the clerk of peace for executing ſaid office.

not above 10l. each ſeſſions to clerk, ſheriff, and gaoler for diſcharging without fees;
not above 5l. a ſeſſion to the clerk.

A conſtable for each barony yearly,

4 ſub-conſtables,

CVII. *ſect.* 31. Grand jury of ſaid county ſhall every year, at general quarter-ſeſſion, appoint a proper perſon high conſtable for each of ſaid baronies in ſaid county, except ſaint Sepulchre's and Donore, and alſo four ſub-conſtables for each ſuch barony, to preſerve the peace at ſeſſions and elections, and at all times in ſaid county, and may, if they think proper, at Eaſter and Michaelmas terms, preſent any ſum, not exceeding eight pounds, to be raiſed upon ſuch barony, half barony, or diviſion, to be paid to ſuch four ſub-conſtables for executing ſaid office, by the treaſurer upon producing to him a certificate from the clerk of peace, that they had, at ſome quarter-ſeſſions or adjournment thereof for ſaid county, ſince appointment, duly qualified, agreeable to an act ſecond queen Anne, *to prevent the further growth of popery*; and if any lordſhip, manor, or pariſh ſhall be ſo large, that one conſtable not ſufficient to do the whole office, it ſhall be lawful to make two or more conſtables for ſuch lordſhip, manor, or pariſh, in ſuch manner as ſuch one conſtable was formerly appointed, which new conſtables ſhall have ſuch and the ſame power and authority, as any other hath, or by law ought to have.

preſentment not above 8l. on certificate of qualifying;

more conſtables for large pariſhes.

Affidavits, maps, &c. kept among county records;

CVIII. *ſect.* 32. The clerk of crown, at the term, and of peace, at quarter-ſeſſions, ſhall file and keep amongſt records of ſaid county all affidavits, maps, plans, and eſtimates, purſuant to this act; and ſhall within four days after Eaſter or Michaelmas term, and after the quarter-ſeſſions in every year, deliver to the treaſurer, without fee or reward, copies of all preſentments at ſaid terms, and of all queries diſcharged, ſigned by himſelf; and for every default thereof, ſhall forfeit five pounds, recovered by any perſon who ſhall ſue by civil bill; and the treaſurer ſhall give copies of any ſuch preſentments, as he ſhall receive from the clerk of the crown, to any of the overſeers mentioned in ſuch preſentment, or to their order on demand, within ten days after ſuch overſeer ſhall ſo apply to him, without fee or reward; and the treaſurer ſhall, within one month after he ſhall have received ſuch copies of preſentments, iſſue warrants to the perſons who under the proviſion in this act are to be collectors for levying and collecting the ſums raiſed off each barony, in order to anſwer the preſentment made at ſuch term, which ſums every perſon, to whom ſuch warrant directed, is impowered and required to raiſe and levy, and to pay the treaſurer on or before the ſecond day of next preſenting term: and in caſe any perſon ſhall refuſe to pay his or her proportion, ſuch perſon as impowered to collect, ſhall and may levy the ſame by diſtreſs and ſale of goods and chattles

copies of preſentments and diſcharged queries delivered to treaſurer; penalty 5l.
copies to overſeers in 10 days after application;
treaſurer's warrants in a month to collectors;

paid by ſecond day of next term,

of

of ſuch perſon, rendering the overplus, if any, after deducting twelve pence for each pound, for trouble in making ſuch diſtreſs: and in every ſuch warrant ſhall be inſerted names of the manors, pariſhes, or denominations in that portion of the county, which ſuch perſon is to collect from, as contained in the county book or table mentioned in this act, and alſo the whole ſum to be collected by ſuch perſon, and the portion each manor, pariſh, or denomination is to pay.

or diſtreſs and ſale, fees 12d per l. names of pariſhes, &c. inſerted in warrants, the ſum, and portion of each.

CIX. *ſect.* 33. In caſe any perſons ſhall bring, or cauſe to be brought, replevins, or other proceſs of law, ſo as to prevent or obſtruct the levying all or any part of the publick money under this act, the conſtable, or other collector, who ſhall diſtrain, ſhall be enabled to ſupport ſuch taking in due form of law by avowing on the authority of this act; and ſuch avowant ſhall not be obliged to give any other matter in evidence on the trial in replevin, other than this act, and that he was ſo legally authorized to take ſuch diſtreſs; and if plaintiffs in replevin, non-ſuited, or a verdict againſt them, or judgment on a demurrer, they ſhall pay treble coſts; and grand juries at the terms, ſhall have a power to appoint ſuch perſons as they think moſt proper, to conduct, proſecute, or defend ſuch ſuits, as alſo to proſecute all treaſurers, collectors, high or petty-conſtables, or any other perſons, in any ſort concerned in collecting or receiving publick money, or any part, or executors and adminiſtrators, or their ſureties, or their executors and adminiſtrators.

On replevin, &c. collectors may avow.

This act in evidence ſufficient; treble coſts on non-ſuit, &c. grand juries may appoint to proſecute or defend.

CX. *ſect.* 34. Every collector, or perſon impowered to collect, to whom ſuch warrant ſent, ſhall, within ten days after receipt deliver, or cauſe to be delivered, to the ſeneſchal of ſuch manor, if reſident therein, or if not, or if no ſeneſchal, then to either of the church-wardens of each pariſh or denomination, or parcel of pariſh or denomination, or precinct of any liberty or juriſdiction mentioned in ſuch warrant, or if no ſuch church-wardens, or they do not reſide therein, then to miniſter or curate of each pariſh, or denomination, or parcel of pariſh, or denomination in ſuch warrant, or if no ſeneſchal, church-wardens, miniſter, nor curate, or if none of them reſide therein, then to any principal reſiding inhabitant, whenever required ſo to do by any two landholders of any ſuch manor or denomination of land, or whenever he ſhall find it neceſſary, a fair tranſcript of ſuch warrant, ſigned by himſelf; at the bottom or on the back of which tranſcript he ſhall deſire the ſum required by ſuch warrant to be applotted equitably upon ſaid manor, pariſh, or denomination of land, or parcel of pariſh, or denomination, or precinct of any liberty or juriſdiction, according to applotment in the county book or table in this act; and the leaving ſuch tranſcript at the place of abode of, or delivering it to any ſeneſchal, or church-warden, miniſter or curate, or principal reſiding inhabitant, ſhall be atteſted by oath of the perſon leaving or delivering, and alſo by one credible witneſs; which oath any juſtice of ſaid county is required to adminiſter; and any perſon, to whom ſuch tranſcript delivered, is required to poſt up within ſix days, on the door of the church, or, if no church in which divine ſervice conſtantly performed, on any conſpicuous place in ſaid manor, pariſh, or denomination, a notice ſigned by himſelf, ſetting forth, [that the landholders and inhabitants of are hereby required to meet at on the day of to chooſe two or more perſons to applot the ſum of required to be levied upon the ſaid manor, pariſh, or denomination, by the warrant of the treaſurer of this county:] at

Tranſcript of warrant delivered in 10 days by collector to ſeneſchal, if reſident, or church-wardens,

or miniſter or curate,

or to any principal reſident, when required by 2 landholders, or when neceſſary, deſiring applotment;

oath of ſervice of one witneſs,

in 6 days notice of meeting poſted;

applotters then chosen;

at which meeting, landholders and inhabitants present, shall choose two or more applotters; and the persons so chosen shall applot the same fully and justly, as soon as they conveniently can; and, making two fair copies or transcripts of their applotment, shall make oath before any justice of said county, which oath shall be recorded on the back or bottom of each copy or transcript, that they have made the said applotment fully and justly, according to best of their skill, without favour, affection, or malice; and shall, within thirty days after so chosen, deliver one of said transcripts or copies of applotment, to collector or person impowered to collect, and depoſite the other in hands of the person, or of executor or administrator of the person, by whom the notice of meeting had been posted, under penalty of forfeiting every day they shall omit to deliver the same, after said thirty days, ten shillings; recovered by civil bill at the quarter-sessions, by any person who shall sue; and the collector or person impowered, on receiving such full and sufficient applotment, is required to levy said money according thereto, and also ten shillings applotment fees, by distress and sale of goods of every person refusing to pay proportion applotted, rendering the overplus, if any, to owner; and in case no full and sufficient applotment returned within thirty-six days after such transcript of warrant left at usual place of abode, or delivered to the seneschal, church-warden, minister, curate, or principal residing inhabitant, and in case there should have been an applotment before made under this act of such manor, parish, or denomination, such collector or person impowered to collect, may and shall levy the same according to such applotment; but in case there should have been no such applotment made, such collector or person impowered, may and shall applot such sum himself; and having made oath before any justice for said county, that he hath applotted it justly, to best of his skill, he may and shall collect the same from the landholders of such manor, parish, or denomination, by distress and sale of goods; and every applotment in consequence of this act shall be delivered by the person, who collected, according to the same, to be deposited by the treasurer among records of the county.

2 copies of applotment on oath,

one in 30 days delivered to collector, the other to the person posting notice; penalty 10s. a day, by civil bill at sessions;

applotment levied accordingly, and 10s. fees, by distress and sale;

if no full applotment in 36 days, levied by former applotment, if none, by the collector on his oath;

applotment delivered, and deposited by treasurer with the records.

CXI. *Sect. 35.* It shall be lawful for any person aggrieved by the presentment, to enter traverse in open court, which traverse shall be tried immediately, or next term or quarter sessions, according as the presentments shall have been made; and if the jury, who shall try, shall not confirm such presentment, the money, raised by presentment, shall be re-presented by the grand jury to some other work in the barony, in which raised, if a barony charge, or in the county, if presented on the county at large; provided such traversers give sufficient security, before king's bench, to pay full costs, in case the jury shall confirm presentment, shall not stop the raising of such money agreeable to the presentment.

Traverse tried immediately, or next term or session;

representment to other work in the barony or county.

CXII. *Sect. 36.* Such traverse may be tried upon entry of any presentment in crown book, and the traverse taken thereto, without making up any record.

Tried on entry without record.

CXIII. *Sect. 37.* To prevent any future dispute the following at all times hereafter considered, and declared to be, the real and authentick rule, by which said county is to be assessed, and the treasurer is required to issue his warrant pursuant to the same:

Table for assessment.

Barony

# Dublin.

## Barony of Upper-Croſs.

Tallaght, five thouſand one hundred and thirty five acres; Clondalkin pariſh, two thouſand and eighty acres; Clondalkin town, one thouſand and thirty-eight acres; Rathcoole town, one thouſand two hundred and forty-one acres; Rathcoole pariſh, one thouſand three hundred and fifty-nine acres; part of Kevin's Without, on the ſouth ſide of the circular road, one thouſand ſeven hundred and ninety acres; Ballymore-Euſtace, two thouſand acres; Milltown Dunlavin, one thouſand four hundred acres; Ballybogh, eight hundred and forty acres; Tipper-Cavan, one thouſand acres; Shankill, one thouſand and one acres; Dalkey, one hundred and fifty-eight acres. Total of the barony of Upper-Croſs, nineteen thouſand and forty-two acres.

## Barony of Nether-Croſs.

Swords, three thouſand five hundred and thirty-five acres; Finglaſs, two thouſand and twenty-three acres; Luſk, three thouſand ſeven hundred and eighty-ſeven-acres; Clonmelkin, two thouſand three hundred and thirty-three acres; Portrane, ſeven hundred and five acres; town and liberty of Swords, one thouſand two hundred and twenty-ſeven acres. Total of the barony of Nether-Croſs, thirteen thouſand ſix hundred and ten acres.

## Barony of Newcaſtle.

Newcaſtle, two thouſand acres; Saggart, two thouſand acres; Kilmatalway, one thouſand five hundred acres; Eſker, one thouſand five hundred acres; Rathfarnham, one thouſand two hundred acres; Lucan, one thouſand two hundred acres; Kilmainham, one thouſand two hundred acres; Ballyfarmott, five hundred acres; Palmerſtown, ſeven hundred acres; Cruah, one thouſand eight hundred acres; Crumlin, one thouſand two hundred acres. Total of the barony of Newcaſtle, fourteen thouſand eight hundred acres.

## Barony of Balrothery.

Balrothery, three thouſand acres; Balſcaddan, one thouſand nine hundred and ninety-one acres; Holmpatrick, one thouſand and ſixty-three acres; Weſt Lusk, one thouſand eight hundred and forty-five acres; Eaſt Lusk, two thouſand five hundred and one acres; Ballydungan, four hundred and fifty acres; Naul, one thouſand four hundred and eleven acres; Weſtpalſtown, eight hundred and eighty-four acres; Ballymadun, one thouſand ſeven hundred and twenty-ſix acres; Garriſtown, two thouſand and ſeventy-two acres; Hollywood, two thouſand five hundred and ninety-nine acres; Ballyboghill, one thouſand eight hundred and ninety-two acres; Palmerſtown, eight hundred and fifty-one acres; Dunabate, one thouſand five hundred and ſixty acres. Total of the barony of Balrothery, twenty-three thouſand eight hundred and forty-five acres.

## Barony of Rathdowne.

Moncktown, one thouſand two hundred and fifty-three acres; Donnybrook, ſix hundred and forty-eight acres; Tanee, two thouſand five hundred and ninety-one acres; Kill, two thouſand and thirty acres; Killany, five hundred and forty-two acres; Killgobbin, ſeven hundred and fifty acres; Old Conagh, ſeven hundred acres; Whitechurch, one thouſand five hundred acres;

acres; Rathmichael, four hundred and ſixty acres; Tallow, one thouſand five hundred and thirteen acres; Kilternan, four hundred and fifty acres. Total of the barony of Rathdowne, twelve thouſand four hundred and thirty-ſeven acres.

Barony of Caſtleknock.

Caſtleknock, three thouſand four hundred and ſixty-five acres; Malahodart, two thouſand one hundred and ninety-eight acres; Killſillaghan, one thouſand four hundred and forty-eight acres; the Ward, ſeven hundred and twenty-nine acres; Clonſillagh, one thouſand ſix hundred and fifteen acres; Cloghnan, three hundred and ſixty-two acres; Chappel-izod, two hundred and ninety-two acres. Total of the barony of Caſtleknock, ten thouſand one hundred and nine acres.

Barony of Coolock.

Killoſary, nine hundred acres; Kilbegh, five hundred acres; ſaint Margaret's, one thouſand one hundred and forty acres; Santry, two thouſand three hundred and ſixty acres; Cloghran, nine hundred and ninety-four acres; Mallahyde, ſix hundred and ſix acres; Ballgriffin, five hundred and forty acres; Portmarnock, one thouſand and twenty acres; Howth, one thouſand ſeven hundred and ſeventy-two acres; Rathenny, four hundred and forty acres; Coolock, one thouſand one hundred and ninety-nine acres; Grangegorman, four hundred and fifty acres; Clontarf, five hundred and thirty-five acres; Clonturk, eight hundred acres; Glaſſnevin, ſix hundred acres; Kingſalley, one thouſand three hundred and thirty-nine acres; Balldoyle, four hundred and fifty acres; Killeſter, one hundred and fifty acres; Artain, five hundred and fifty-ſeven acres. Total of the barony of Coolock, ſixteen thouſand one hundred and fifty-two acres.

Barony of Saint Sepulchre's.

Patrick's-cloſe, four hundred and twenty-four acres; Kevin's Within, three hundred and ſix acres; New-ſtreet and Poddle, ſix hundred and forty-two acres; part of Kevin's Without, to the north of the circular road, two hundred acres. Total of the barony of Saint Sepulchre's, one thouſand five hundred and ſeventy-two acres.

Barony of Donore.

Donore, two thouſand eight hundred and ninety acres.

Overſeers to raiſe materials;

Overſeers appointed under this act, impowered to dig for, raiſe, and carry away any gravel, ſtones, ſand, or other materials, wanted for building, rebuilding, enlarging, or repairing any ſeſſions-houſe, gaol, work-houſe, bridge, gullet, pipe, or wall neceſſary for ſupport of any road, or for making, repairing, or preſerving any road, where ſuch overſeer ſhall judge moſt convenient, whether it be in ſaid county, or in an adjoining county; but it ſhall not be lawful for the overſeers of any road, bridge, or wall, to ſearch for, dig, raiſe, or carry away any gravel, ſtones, ſand, or other materials, (except ſuch looſe gravel, or other ſtones as may be thrown up in the tide) from any beach or ſea ſhore, which beach or ſea ſhore is a publick road, or a bulwark or defence to any towns, ground, or publick roads adjoining; and any perſon convicted thereof on oath of one credible witneſs, before one

but not on beach, a road or bulwark,

one juſtice, within his juriſdiction, ſhall for every ſuch offence forfeit five ſhillings, for every cart or car load of ſuch materials ſo dug, raiſed, or carried away; any thing in this act to the contrary notwithſtanding: and it ſhall be lawful to make drains, to carry off water that may injure any bridge, gullet, pipe, wall, or road, in or through the lands of any perſon, not a deer park, garden, orchard, haggard, or yard, or in the planted walk, avenue, or lawn to manſion houſe; and ſuch overſeer ſhall make ſuch ſatisfaction, recovered by civil bill at quarter ſeſſions, againſt ſuch overſeer, in caſe of refuſal, to owner or occupier of the land, for what damage may be done by digging, raiſing, and carrying away ſuch gravel, ſtones, ſand, or other materials, or making ſuch drains, as aſſeſſed by three ſubſtantial houſeholders of ſaid county, one named by each of the parties, the third by the next or any neighbouring juſtice, who ſhall be ſworn by ſuch juſtice, to be appraiſers, and to make a true eſtimate of ſuch damages, according to beſt of their skill; if any perſons obſtruct or prevent ſuch overſeers in digging, raiſing, or carrying away ſuch materials, or making ſuch drains, ſuch perſon ſhall, upon conviction, by oath of one credible witneſs, before one juſtice for ſaid county, forfeit for every offence, a ſum not exceeding five pounds; levied, with the charges by diſtreſs and ſale of the goods, by warrant of one juſtice of ſaid county, poſſeſſed of a clear yearly eſtate of one hundred pounds in ſaid county, in lands, tenements, and hereditaments.

Penalty 5s. a load;

may make drains, not through deer-park, &c.

damages aſſeſſed by 3 houſeholders ſworn to be appraiſers; recovered by civil bill;

obſtructing overſeers, 5l.

on warrant of one juſtice of 100l. a year.

CXIV. *ſect.* 38. The eſtimate of ſuch damages as aforeſaid, made by the perſons appointed, and ſworn to by them before two juſtices of ſaid county, laid before the next grand jury, at Eaſter or Michaelmas term; who may preſent ſuch ſums as they think proper, not exceeding ſaid eſtimate, to be raiſed off the county at large, and paid to ſuch perſons by the treaſurer; and every ſuch overſeer may give notice to owner or occupier of land adjoining the roads he is appointed to overſee, to ſcour the drains or ditches, or to cut or clip the hedges of the ſides of ſuch roads, at a height not exceeding five feet; which if owner or occupier ſhall neglect ten days after ſuch notice, any juſtice of ſaid county, poſſeſſed of a clear yearly eſtate of one hundred pounds in ſaid county, in lands, tenements, or hereditaments, may, by warrant, order the overſeer to have ſaid drains or ditches effectually ſcoured, or hedges clipped; and authorize ſuch overſeer to levy the expences off the goods and chattles of ſuch owners and occupiers, with ſuch wages to overſeer as ſaid juſtices think fit, not exceeding eighteen pence each day ſaid overſeer be neceſſarily employed in attending and performing ſuch work: provided no ſuch notice be given during hay or corn harveſt.

Eſtimate of damages ſworn to before 2 juſtices laid before next grand jury; preſented;

notice to ſcour drains, and clip hedges to 5 feet;

on 10 days neglect done by overſeer on warrant of juſtice of 100l. a year;

expence levied with wages not above 18d. a day;

harveſt time excepted.

CXV. *ſect.* 39. If owner or occupier of any land or houſe adjoining any publick road, ſhall, after notice by the overſeer, or ſub-conſtable, or any other perſon, to remove any dunghill, dirt, rubbiſh, or other nuiſance laid upon any part of ſuch road oppoſite to his land or houſe, or within twenty-one feet of the center, or to make ſewers or pipes for free paſſage of water obſtructed by any ſtoppage in the ditch or drain of his land, or paſſing of cattle into his land or to his houſe from ſuch road, ſo as to injure ſuch road, forty-eight hours next after ſervice of ſuch notice perſonally or at his houſe or uſual place of abode, the overſeer, or ſub-conſtable, or any other perſon may complain of the refuſal or neglect, to any juſtice for ſaid county, having freehold in lands, tenements, or hereditaments, of the clear yearly value of one hundred pounds at leaſt, within ſaid county; and thereupon it ſhall be lawful for ſaid juſtice, to iſſue warrant or ſummons, requiring the party ſo

Not removing nuſance or making ſewers 48 hours after notice,

on complaint ſummons by a juſtice of 100l. a year, to appear in 6 days;

complained of, to appear at a certain place, within ſix days after ſervice, to anſwer ſaid complaint; and ſaid juſtice ſhall and may, in preſence of ſaid party, or in his abſence, if duly ſummoned, he, ſhe, or they refuſe or neglect to appear at the time and place appointed, examine into the matter of ſaid complaint; and if it ſhall be manifeſt to ſaid juſtice, upon ſuch examination, by confeſſion, or upon oath of one credible witneſs, that ſaid complaint was well founded, it ſhall be lawful for every ſuch juſtice, upon every ſuch offence, to fine the owner or occupier, in any ſum not exceeding twenty ſhillings for every day the ſame or any part thereof ſhall, after ſpace of forty-eight hours, be permitted to remain; and by warrant to levy by diſtreſs and ſale of the offender's goods; and the money ariſing by ſuch ſale, over and above ſaid fine, to pay to ſaid owner or occupier; and ſaid fine, ſaid juſtice ſhall apply in manner following, firſt to defray the expence of removing ſaid nuiſance, and in making ſuch ſewers or pipes, and the reſidue to the miniſter and church-wardens of the pariſh, for uſe of the poor.

fined not above 20s. a day,

to defray the expence, reſidue to poor of the pariſh.

CXVI. *ſect.* 40. Every perſon, who ſhall build any houſe, except where a houſe now ſtands, or part of a houſe, within ſixteen feet of the center of any road, except within the city of Dublin, or in market-towns, or keep any cur, maſtiff, or bull-dog, at any houſe within fifty yards of any road without having a block of wood of weight of five pounds at leaſt faſtened to the neck, or lay any turf, dung, dirt, ſtraw, rubbiſh, or ſcouring of any ditches or drains, or other filth, or any ſtones, or timber upon any part of any road, or within twenty-one feet of the center, or ſteep or dry any flax, or burn any weeds or bricks within one hundred yards of any road, or build any lime-kiln within twenty-yards, or cut any turf, or make any turf-ſtack within twenty feet of the center, or ſhall pull down any part of any bridge, or injure any mile-ſtone or finger poſt, or ſhall dig any pit, or make any ditch, or put up any ſign-poſt or may-buſh within twenty-five feet of the center, or ſhall leave any car or cart between ſun-ſet and ſun-riſe, on any part of any road through which travellers generally paſs, or which lead to any church or church-yard, without leaving a paſſage of twenty-one feet at leaſt in the clear, or winnow any corn on any part of any road, or alter any road not being authorized by due courſe of law, or leave the carcaſe of any dead beaſt, or ſkin of any dead beaſt on any road or within one hundred yards of the center, or ſhall lead or drive any car or cart with timber, boards, or iron laid croſsways, which ſhall project beyond either ſide, or turn the courſe of any water upon any road ſo as to injure it, or ſcrape the gravel off, ſhall upon conviction, by oath of one credible witneſs, before any juſtice of ſaid county, or ſeneſchal of any liberty, where ſuch offence committed, or upon the view of ſuch juſtice or ſeneſchal, for every offence forfeit a ſum not exceeding ten ſhillings, levied by diſtreſs and ſale of goods, by warrant of any one juſtice for ſaid county: and if any perſon ſhall draw any mill-ſtone on any road, without ſupporting by a carriage on wheels, ſuch perſon ſhall, upon conviction by the oath of one credible witneſs before one juſtice for ſaid county, forfeit not exceeding forty ſhillings, levied by diſtreſs and ſale of goods, by warrant of one juſtice for ſaid county having freehold in lands, tenements, and hereditaments of clear yearly value of one hundred pounds at leaſt within ſaid county; and if any perſon ſhall draw any ſlide car, or timber, boards, or ſticks, without ſupporting the ends on a carriage on wheels of breadth of three inches at the leaſt, on any road made or repaired with money granted by the grand jury, ſuch perſon ſhall, upon conviction,

Building within 16 feet of center, except in towns; dogs within 50 yards without 5lb. block,

rubbiſh, ſtones, or timber within 21 feet of center,

burning weeds or bricks 100 yards, kilns 20 yards, turf 20 feet of center,

injuring bridge, ſtones or poſts,

pits, ſigns, may-buſhes,

cars left by night,

winnowing corn,

dead beaſts, or the ſkins,

boards or irons croſs-ways,

turning water,

ſcraping gravel,

penalty, 10s.

drawing millſtone without wheels, 40s.

ſlide cars, boards, or ſticks without wheels of 3 inches, 5s. and the car, &c.

conviction, by oath of one credible witneſs, before one juſtice having freehold of clear yearly value of one hundred pounds at leaſt within ſaid county, within his juriſdiction, or upon view of ſuch juſtice, forfeit not exceeding five ſhillings, levied by diſtreſs and ſale of goods, by warrant of ſuch juſtice, and alſo ſuch ſlide car, timber, boards, or ſticks, to the perſon who ſhall ſeize; and two juſtices, within their juriſdiction, having each freehold of clear yearly value of one hundred pounds at laſt within ſaid county, may by warrant order any houſe or part of a houſe, or lime-kiln, hereafter built contrary to intent of this act to be pulled down, or any dog kept contrary to be killed, or any pit or ditch filled up or levelled, or any wall thrown down hereafter made or built contrary to this act, as alſo the neceſſary expence attending, levied by diſtreſs and ſale of goods or chattles; and any perſon may take and carry away all ſuch turf, dirt, dung, ſtraw, or rubbiſh, corn, filth, ſcouring of ditches, or drains, or ſtones, as he ſhall find upon any part of any road, or within twenty-one feet of the center, and apply to his own uſe, and kill any dog kept contrary to this act, without being ſued or proſecuted.

2 juſtices of 100l. a year may order buildings or kilns to be pulled down, &c. dogs killed; any perſon may carry away rubbiſh, &c. and kill dogs.

CXVII. *ſect.* 41. Every landholder or occupier, who ſhall lay, cauſe, or ſuffer to be laid, upon his land, within three miles of Dublin, or one mile of Swords and Newcaſtle for manure, or any other purpoſe, any filth, offals, or blood, ſcraping of ſlaughter-houſes or ſhambles, or emptying of privies, without immediately covering with ſuch quantities of lime or earth, as ſufficient to prevent any annoyance therefrom, ſhall upon view of any juſtice having freehold of clear yearly value of one hundred pounds at leaſt within ſaid county, within his juriſdiction, or upon information of one credible witneſs upon oath, forfeit forty ſhillings for every ſuch offence, levied by diſtreſs and ſale of goods and chattles, by warrant of ſuch juſtice, under hand and ſeal. And to prevent inconveniencies to inhabitants of Dublin, by ſcavengers laying their dirt, any perſons, who ſhall lay any filth or dirt, ſo collected from the ſtreets of ſaid city or liberties, nearer than two hundred yards to any road within two miles of the caſtle, or nearer than twenty-one feet of the center of any road, at a greater diſtance than two miles from the ſame, ſhall, upon view of any juſtice, or ſeneſchal of ſaid liberties, having freehold of clear yearly value one hundred pounds at leaſt within ſaid county, within reſpective juriſdictions, or upon information of one witneſs upon oath, forfeit five ſhillings for every cart or other load ſo laid down; levied by diſtreſs and ſale of goods and chattles, by warrant of any ſuch juſtice under hand and ſeal. Provided, where any fields or gardens are nearer than a mile of the publick lamps, the owner or occupier ſhall be at liberty to lay down within the ſame ſo much of ſcavenger's dirt, as ſufficient to manure the ſame for one year, without incurring the penalty aforeſaid.

Laying filth, &c. for manure within 3 miles of Dublin, 1 of Swords and Newcaſtle, without ſufficient lime or earth, 40s.

laying ſcavengers dirt within 200 yards of a road 2 miles from the caſtle, or if above 2 miles 21 feet from the center, 5s. a load;

except manure for 1 year for fields or gardens within a mile of the lamps.

CXVIII. *ſect.* 42. If any perſon ſued, moleſted, or troubled for putting in execution any of the powers in this act, or doing any act purſuant thereto, ſuch perſon ſhall and may plead general iſſue, and give the ſpecial matter in evidence; and if plaintiffs nonſuited, and judgment againſt them, upon demurrer or otherwiſe, or a verdict for defendants, or a diſmiſs upon a civil bill, ſuch defendants ſhall have treble coſts, recovered by ſuch method, as where by law coſts given to defendants; and the ſolemn affirmation or declaration of a quaker ſhall be adjudged of ſame force and effect, to all intents, where by this act an oath required, as if ſuch quaker had taken an oath in form preſcribed, or in uſual form.

General iſſue, &c.

treble coſts on nonſuit, &c.

quaker's affirmation equal to oath.

Juſtices to act and adminiſter oath; penalty to informers and the infirmary;

not paying committed not above 3 months.

CXIX. *ſect.* 43. Juſtices of peace are authorized to put this act into execution, and to adminiſter the ſeveral oaths before directed, within their reſpective juriſdictions; and one moiety of all forfeitures and pecuniary penalties inflicted, and not otherwiſe applied, ſhall be paid to informer, with full coſt, the other to the treaſurer of the county-infirmary, for benefit of ſuch infirmary; and if any perſon convicted of any offence, not able to pay the penalty, it ſhall be lawful for the juſtice or juſtices before whom convicted, to ſend to the work-houſe, or houſe of correction of ſaid county, to remain at hard labour for ſuch time as ſaid juſtices think proper, not exceeding three months.

Saving liberties of St. Sepulchre's and Donore.

CXX. *ſect.* 44. Nothing herein ſhall extend to break in upon, prejudice, or leſſen in any manner whatſoever the juriſdiction, powers, franchiſes, rights, or privileges belonging to, or heretofore exerciſed by archbiſhop of Dublin, in and throughout his liberty of Saint Sepulchre's, or by the earl of Meath in his liberty of Donore, and the ſeveral parts thereof, which are in ſaid county of Dublin, but they ſhall be and remain as free and in as full force, to all intents, as if this act never made; any thing herein to the contrary notwithſtanding.

Perjury or forgery puniſhed.

CXXI. *ſect.* 45. Every perſon, guilty of wilful and corrupt perjury, or falſe affirming, or forging or counterfeiting the name of any juſtice, and convicted by due courſe of law, ſhall incur the pains and penalties, by law enacted againſt wilful and corrupt perjury.

Preſentments under the repealed act accounted for.

CXXII. *ſect.* 46. All preſentments made, or money to be levied, accounted for and paid in conſequence of thoſe parts of the act hereby repealed, ſhall be levied, accounted for, and paid in manner preſcribed thereby (or by this act) ſubject to the rules, proviſoes, and regulations therein or herein contained.

Table of applotment to be made and preſented.

CXXIII. *ſect.* 47. After the firſt of May next the grand jury of king's bench, impannelled and ſworn for the county of city of Dublin, ſhall, and are required, at Michaelmas term every third year, or oftener if neceſſary, to take an exact account of miniſters money chargeable upon the ſeveral inhabitants in their ſeveral pariſhes, and from thence form a table of applotment of the proportion, every pariſh bears to each other; and when ſo regulated, ſhall, if they think proper, preſent the ſame as a regular and fit table for applotting publick money; which table, when ſo formed and preſented, ſhall and is hereby appointed a table for applotting the publick money.

City treaſurer to aſſeſs thereby in Mar. and Sep.

CXXIV. *ſect.* 48. The treaſurer of publick money of ſaid city, ſhall, in March and September every year, by ſaid table, applot and aſſeſs on inhabitants of the ſeveral pariſhes in ſaid city and county of city, ſuch publick money as ſhall be raiſed by grand juries of king's bench, or quarter ſeſſions, and inſert in warrants ſaid applotment and aſſeſſment, and the uſes for which reſpectively raiſed; which warrants the lord mayor is impowered and required to ſign, and direct and cauſe the ſame to be delivered to church-wardens of the pariſhes of ſaid city, as for time immemorial accuſtomed.

and inſert in warrants the uſes, ſigned by lord mayor; delivered to church-wardens.

Miniſter and church-wardens in a month after warrant to convene veſtries for aſſeſſing, or fined 50l.

CXXV. *ſect.* 49. The miniſter, church-warden and church-wardens of pariſhes of ſaid city, ſhall and are required, within one month after receipt of ſuch warrants, in uſual manner, to convene a veſtry of inhabitants of reſpective pariſhes for applotting and aſſeſſing upon the ſolvent inhabitants their proportion of ſaid publick money; and if ſaid miniſter, church-warden and church-wardens neglect or refuſe to convene ſuch veſtry, it ſhall be lawful for judges of king's bench to fine ſuch miniſter, church-warden or church-wardens, not exceeding fifty pounds: and in caſe the miniſter, church-

wardens,

wardens, or parishioners refuse to assemble after due notice given, or, when assembled, neglect or refuse to applot the proportion, such parish is to bear of the publick money, it shall be lawful for judges of king's bench to fine such parish not exceeding one hundred pounds.

not assembling or applotting, parish fined 100l.

CXXVI. *sect.* 50. When and so often as said publick money is applotttd and assessed, by said vestries, upon solvent inhabitants within their districts, every church-warden and church-wardens, within ten days after such vestry, shall direct and appoint one or more persons of said parishes respectively to collect the same; and said parishes may allow such persons any sum not exceeding six pence in the pound for collecting, to be raised off the inhabitants of said parishes, as parish taxes are now raised on said parishes; and the constables of said parishes respectively, are required to aid and assist such persons in collecting; every such constable refusing, shall, upon conviction, by oath of two credible witnesses, before any two justices of the county of city of Dublin, forfeit for every such offence a sum not exceeding ten pounds, levied with charges by distress and sale of goods, by warrant of any two such justices; one moiety to informers, the other to the minister and church-wardens, for use of poor of the parish in which such offence committed.

Church-wardens in 10 days after vestry to appoint collectors.

allowance 6d. per l. raised on parish taxes, constables to assist;

refusing, forfeit 10l.

to informer & poor.

CXXVII. *sect.* 51. All persons impowered to levy or collect publick money in county of the city, shall and may, by distress and sale of goods and chattles of all such persons, who refuse to pay their proportion, levy the same, and after sale of such distress, retain the money said persons ought to pay, rendering overplus (if any) to owner, after deducting twelve pence in the pound for levying; and said collectors, and the constables, shall within their respective limits collect, by warrant under hand and seal of lord mayor (which warrant the lord mayor is impowered to grant) the several sums so presented and applotted, and shall pay in the said sums to said church-warden or church-wardens, to be paid over to said treasurer, before the term next ensuing the times the publick money shall be so applotted; and said treasurer shall every term make up his accounts upon oath, of all the receipts and payments of said publick money so received and paid by him, and return and lay said accounts, fairly written, with affidavit of said treasurer at the foot, before one of the judges of king's bench, without fee, verifying the truth of such accounts, on the first day of every term, before grand jury of said city, to be viewed, allowed, or disapproved of by said grand jury; and said grand jury shall cause the same to be entered in the book of the county of said city, with such observations as they think fit; and for wilful default of such return it shall be lawful for judges of king's bench, to fine such treasurer, not exceeding one hundred pounds.

Refusing to pay, levied by distress and sale;

fee 12d. per l.

collected by lord mayor's warrant;

paid to church-wardens, by them to treasurers before next term;

treasurers every term to account on oath, and lay before grand jury with affidavit,

entered,

on default fined 100l.

CXXVIII. *sect.* 52. If any constable shall neglect, or refuse to collect the sums so presented or applotted, or to pay in the same to said church-wardens, or if such church-wardens neglect, or refuse to pay in the sums paid unto them by such constables to the treasurer of said city, it shall be lawful for judges of king's bench to fine such constables or church-wardens, in such sums as to said judges shall seem proper, not exceeding the sums such constable or church-warden shall, by the said warrants of the said lord mayor of the said city for the time being be appointed respect vely to collect and receive, and to commit the said several offenders in execution for the same.

Constables or church wardens neglecting, fined.

CXXIX. *sect.*

A publick act.

CXXIX. *sect.* 53. This act deemed a publick act, and judicially taken notice of as ſuch by all judges, juſtices, and all other perſons without ſpecially pleading.

## Duties.

12000 men neceſſary for defence.

3046 men, officers included, raiſed by act 1769, continued 2 years from 1 Jan. 1774 to 31 Dec. 1775,
the forces on eſtabliſhment 15046, to keep 12000 in kingdom, unleſs invaſion or rebellion in Great Britain, and for other expences, additional duties to 25 Dec. 1775,

on beer or ale 2s. 32 Gallons,

272 inches and 1 4th to the gallon;

ſmall beer 4d.

ſtrong waters, ſpirits, 4d. a gallon,
tobacco 3d $\frac{1}{2}$ per lb
muſlin 6d. per yard, Eaſt ſilks and ſtuffs 1s. 6d.
wine 4l per tun, Brandy, &c 8d. per gallon,
foreign ſpirits above ſingle in proportion to duties for ſingle, coffee, chocolate, cocoa, 3d. per lb.
herrings except Britiſh 1s. per barrel, molaſſes, treacle 20s. per 100.
romalls, cottons, (except Britiſh) 6d. per yard,
raw hides exported, except to Great Britain 6d.
paper, except Britiſh, imported, 1 s. per rheam,

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 1. *ſect.* 1. Whereas twelve thouſand effective men, commiſſion and non-commiſſion officers included, are neceſſary to be maintained within this kingdom for its defence; be it enacted, that three thouſand and forty-ſix men, commiſſion and non-commiſſion officers included, raiſed in purſuance of an act paſſed in 1769, be continued for two years from the 1ſt day of January 1774, to the 31ſt day of December 1775 incluſive; ſo as the forces on the eſtabliſhment may amount to fifteen thouſand and forty-ſix effective men, commiſſion and non-commiſſion officers included. And to enable your majeſty to carry into execution your reſolutions, to keep within this kingdom for neceſſary defence, twelve thouſand effective men, commiſſion and non-commiſſion officers included, at all times unleſs of invaſion or rebellion in Great Britain, and to defray the other neceſſary expences of your government; after the 25th of December 1773 until the 25th of December 1775 incluſive, and no longer, there ſhall be granted, raiſed, collected, levied and paid to his majeſty, his heirs, and ſucceſſors, the ſeveral rates, additional duties, and impoſitions after mentioned, for and upon every thirty-two gallons of beer or ale above ſix ſhillings the barrel, brewed within this kingdom by any common brewer, or in his veſſels, or by any other who ſhall ſell or tap out beer or ale publickly or privately (ſuch gallon to contain two hundred and ſeventy-two cubical inches and one-fourth part of a cubical inch) two ſhillings to be paid by the common brewer, or by ſuch other who ſhall brew, ſell, or tap out, and ſo proportionably for a greater or leſſer quantity; and for every thirty-two gallons of beer or ale of ſix ſhillings the barrel or under, *ſo* brewed, four pence, and ſo proportionably; for every gallon of *aqua vitæ*, ſtrong waters, or ſpirits, made or diſtilled within this kingdom for ſale, four pence, to be paid by the firſt maker or diſtiller; every pound weight of tobacco, imported, three pence half penny; every yard of muſlin imported, ſix pence; every yard of all ſilks and ſtuffs, made or manufactured in Perſia, China, or the Eaſt Indies, imported one ſhilling and ſix pence; every tun of wine imported four pounds; and ſo proportionably; every gallon of brandy, ſtrong waters, and ſpirits perfectly made, and of ſpirits made and diſtilled of wine not above proof, imported, eight pence, and ſo proportionably; every gallon of foreign ſpirits (above the quality of ſingle ſpirits) an additional duty ſhall be paid, and charged thereon in proportion to the duties payable for ſingle ſpirits of the ſame denomination, according to the comparative degree of ſtrength ſuch ſpirits imported bear to ſingle of ſame denomination; every pound weight of coffee, chocolate, and cocoa nuts, imported, three pence; a tax of one ſhilling *per* barrel upon all herrings imported; additional twenty ſhillings ſterling on every hundred weight of molaſſes and treacle; additional ſix pence *per* yard upon all foreign ſtuffs called romalls, and all manufactures of cotton, cotton and linen mixed, whether plain, painted, or ſtained, imported from any parts beyond ſeas (except the manufacture of Great Britain;) an additional ſix pence every raw and untanned hide exported, except to Great Britain; additional one ſhilling every rheam of writing or printing paper (except

(except manufacture of Great Britain) additional ſix pence *per* yard, over and above the preſent duties, on all damaſk towelling, or napkins, of flax or hemp imported from any other place than Great Britain, at or under a yard wide; one ſhilling on all ſuch goods from ſix to eight quarters wide; and two ſhillings, from eleven to twelve quarters.

damask towelling, except from Great Britain, yard wide or under, 6d.
6 to 8 quarters 1s.
11 to 12 2s.

II. *ſect.* 2. The ſix pence *per* pound, and all other fees to the vice-treaſurer, paymaſter or receiver general, upon iſſuing or payment of any ſum out of the aids herein before particularly mentioned, ſhall be received by *them* for the uſe of his majeſty, his heirs and ſucceſſors, during the time aforeſaid, and duly accounted for as a further additional aid hereby given and granted for further ſupport of his majeſty's government.

Fees accounted for as additional aid.

III. *ſect.* 3. The ſeveral further additional rates, duties, and impoſitions herein after mentioned, ſhall be granted, raiſed, levied, and paid to his majeſty, his heirs and ſucceſſors, from the 25th of December 1773, to the 25th of December 1775 incluſive; a further additional duty of four pounds thirteen ſhillings and four pence *per* ton for and upon all French wines; of ſix pounds *per* ton all wines of the growth of Portugal, and four pounds eleven ſhillings per ton all Rheniſh, and all other wines (except Spaniſh) imported, over and above all other duties now payable, and ſo proportionably for a greater or leſſer quantity; a further additional ſix pence *per* gallon, all brandy, geneva, and other ſpirits imported, except of the growth and produce of his majeſty's ſugar colonies in America, over and above all other duties now payable; a further additional duty upon all teas imported, purchaſed at the India company ſales for an higher price than four ſhillings Britiſh *per* pound, at the rate of one penny *per* pound weight every ſix pence Britiſh paid over and above four ſhillings Britiſh at the ſales, the price of the teas inſerted in the cockets, and further aſcertained by reference to ſale-books of the company; copies whereof, or of ſuch parts as ſhall relate to the teas ſo imported, atteſted by the principal, or deputy accountant of the company, the commiſſioners of the revenue are required to procure from time *to* time for the purpoſes above mentioned, and ſhall be admitted as evidence in all proſecutions upon this act; a further additional ſix pence *per* pack for and upon all painted or playing cards, manufactured or vended in this kingdom between the 15th of December 1773, and the 25th of December 1775, over and above all other duties now payable; further additional ten ſhillings every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one; and twenty ſhillings every coach, chariot, berlin, calaſh, or chaiſe with four wheels, any perſon ſhall keep exceeding that number, except hackney and ſtage coaches, and coaches kept by coachmakers for ſale; alſo additional ten ſhillings on all chaiſes with two wheels, which any perſon ſhall keep in his or her poſſeſſion (except hackney chaiſes, and chaiſes by makers for ſale) from the 25th of December 1773, to the 25th of December 1774 incluſive, over and above all other duties now payable; a further additional ten ſhillings every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one, and twenty ſhillings exceeding that number (except hackney and ſtage-coaches, and coaches and other ſuch carriages with four wheels as aforeſaid, by coachmakers for ſale;) and alſo an additional ten ſhillings on all chaiſes with two wheels, which any perſon ſhall keep (except hackney, and chaiſes

Further additional duties to 25 Dec. 1775.
French wine 4l. 13. 4d. per ton,
Port 6l.
other wines, except Spaniſh, 4l. 10s. above all other duties,
ſo proportionably,
ſpirits, except growth of the colonies, imported, 6d. per gallon;
teas purchaſed at company ſales, 1d. per lb. every 6d. above 4s.
the price in cockets, and a reference to the books,
atteſted copies evidence;
cards 6d. per pack;
coaches, &c. 10s.
20s. if above one;
hackney, ſtages, and for ſale excepted,
chaiſes 10s.
to 25 Dec. 1774.
coaches 10s.
20s. if above one,
chaiſes 10.

by

to 25 Dec. 1775.

by makers for ſale) over and above all other duties now payable, from the 25th of December 1774, to the 25th of December 1775 inclusive.

Certificates in three months given to collectors of exciſe, with place of reſidence,

IV. *ſect.* 4. And for the better collecting ſaid duty, every perſon, who from the 25th of December 1773, ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſes with two wheels, ſhall, within three calendar months after the 25th of December 1773, or after he or ſhe ſhall have or keep any ſuch, by writing under his or her hand certify to the collector of exciſe in ſome one of the diſtricts, where he or ſhe ſhall reſide or dwell within the time aforeſaid, a true account of every ſuch coach, chariot, berlin, calaſh, and chaiſe with four wheels, and chaiſe with two wheels, which he or ſhe ſhall have or keep, (except hackney or ſtage coaches, and coaches kept by coachmakers for ſale) and (except hackney chaiſes, and chaiſes with two wheels, by makers for ſale) with the name of the place and pariſh of reſidence or abode at the time of giving ſuch certificate; which certificate ſhall be kept by the collectors of the diſtricts, and alſo entered or regiſtered in an alphabetical book for that purpoſe; and a copy of ſuch entry, ſigned by ſuch collector or his clerk, ſhall be delivered, if required, without any fee or reward, to the perſon delivering ſuch certificate; and a number ſhall be entered on each certificate ſo regiſtered: and ſaid collectors reſpectively ſhall under their hands on or before the 25th of December every year, give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and all chaiſes with two wheels, from time to time returned to them reſpectively in ſuch certificates, with names of the perſons and places of abode mentioned in ſuch certificates, to the perſons appointed by the commiſſioners of exciſe, or any three of them, to collect and receive ſaid duties; and ſuch perſons appointed by the commiſſioners of exciſe, or any three of them, to collect and receive ſaid duties on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, ſhall have full power and authority to levy, collect, and receive the ſame within the diſtrict, where the certificate entered, in the ſame manner as his majeſty's revenue ariſing from fire-hearths is now by law levied, collected, and received; and ſhall ſign and deliver acquittances without fee or reward; and keep duplicates thereof in a book for that purpoſe, in manner as acquittances are given and kept for the duty of fire-hearths; and ſhall return the book, containing the duplicates of ſuch acquittances, to ſuch perſons, and at the ſame time; and diſpoſed of in ſame manner as containing duplicates of acquittances for duty on fire-hearth; and the duties aforeſaid ſhall be paid in the reſpective diſtricts, wherein ſaid carriages entered or regiſtered reſpectively, and in no other.

kept by collectors, and regiſtered alphabetically, copy given if required, numbered;

liſts given yearly to perſons appointed;

levied as hearth-money, acquittances given,

duplicates kept, and returned;

duties paid in reſpective diſtricts.

Not certifying coaches, &c. penalty 20l

V. *ſect.* 5. If any perſon ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, chargeable with ſaid reſpective duties, not certified as aforeſaid, every ſuch perſon ſhall for ſuch neglect forfeit twenty pounds; to be ſued for, recovered, levied, and applied in ſuch manner and form, and by ſuch ways and methods, as are preſcribed and appointed by an act in the fourteenth and fifteenth years of king Charles the ſecond, *for the ſettling of the exciſe or new impoſt upon his majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted.*

recovered and applied as by 14 & 15 C. 2. c. 8.

Poſſeſſor charged as owner.

VI. *ſect.* 6. Provided nevertheleſs, that every perſon (except as before) having in his keeping or poſſeſſion any coach, chariot, berlin, calaſh, or chaiſe

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chaiſe with four wheels, or chaiſe with two wheels, belonging to another, ſhall be charged with the ſaid duty, as the owner or proprietor thereof is, or ought to be charged by this act.

VII. *ſect.* 7. The perſons authorized to collect and levy the ſaid duty on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, ſhall pay the ſame to the ſaid collectors of the ſeveral diſtricts, where ſaid duties collected and raiſed: and ſaid collectors ſhall keep ſeparate and diſtinct accounts thereof, and pay the ſame into his majeſty's treaſury, as other money received by them for uſe of his majeſty.

1d. duty paid to collector of diſtrict,

ſeparate accounts kept,

paid into the treaſury.

VIII. *ſect.* 8. Provided always, that nothing in this act ſhall extend to charge any perſon who ſhall keep and certify to the ſaid collector of exciſe in manner above-mentioned any coach, chariot, berlin, calaſh, or chaiſe with four wheels, with the ſaid additional duty of ten ſhillings chargeable upon chaiſes with two wheels; nor to charge any cabriolet or garden chair; or to oblige ſuch perſon to make any entry of any ſuch chaiſes with two wheels, or cabriolet or garden chair.

Garden chairs, &c. excepted.

IX. *ſect.* 9. All additional and further additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, levied, collected, and paid unto his majeſty, his heirs and ſucceſſors, during the time aforeſaid, over and above all other duties payable by an act in the fourteenth and fifteenth years of Charles the ſecond, *for ſettling the exciſe or new impoſt*; or of one other act, 14 & 15 C. 2. *for ſettling the ſubſidy of poundage, and granting a ſubſidy of tonnage and other ſums of money, unto his royal majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to the book of rates hereunto annexed.*

Said duties levied and paid above all other by 14 & 15 C. 2. c. 8 & 9.

X. *ſect* 10. The ſix pence *per* pound, and all other fees, payable to the vice-treaſurer, receiver or paymaſter general, clerk of the pells, or any other officer of this kingdom, upon iſſuing or payment of any ſum out of the aforeſaid duties hereby newly granted (that is) of four pounds thirteen and four pence *per* tun upon all French wines; ſix pounds *per* tun all wines of the growth of Portugal; four pounds eleven ſhillings *per* tun for all Rheniſh, and all other wines, except Spaniſh; ſix pence *per* gallon on all brandy, geneva, and all other ſpirits, except of the growth and produce of his majeſty's ſugar colonies in America; the duty on all teas imported; the ſix pence per pack upon all painted or playing cards; the duties on coaches, chariots, berlins, calaſhes, or chaiſes with four wheels, or chaiſes with two wheels, ſhall be received by ſaid vice-treaſurer, &c. for uſe of his majeſty, his heirs and ſucceſſors, and duly accounted for.

All fees received and accounted for to the king.

XI. *ſect.* 11. If the ſaid wines, and other goods and merchandizes, upon which ſaid additional and further additional duties, are charged upon the importation, ſhall, after payment, or ſecurity for the ſame, be again exported by any merchant ſubject of this realm, or any other of his majeſty's dominions, within twenty-four calendar months, or by merchant ſtrangers within twelve after the importation, and due proof firſt made by certificate from the proper officer of due entry and payment of the ſaid duties, or ſecurity, and that all other requiſites have been performed, by law required, where the duties of exciſe are to be repaid by the before mentioned act, intituled, *an act for ſettling the exciſe or new impoſt upon his majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; then ſaid additional, and further additional duties, ſhall without any delay or reward, if paid, be repaid

Drawback on export by ſubjects in 24, ſtrangers in 12 months on certificate of requiſites performed,

In one month after demand.

paid or allowed unto ſuch merchant ſo exporting, within one month after demand; or, if paid, the ſecurity for ſaid duties ſhall be vacated or diſcharged, as to ſo much thereof as ſo exported; any thing herein to the contrary notwithſtanding.

Duties on coffee, chocolate and cocoa to the hemp and flax manufacture; on raw hides to raiſing flax-ſeed.

XII. *ſect.* 12. The additional rates and duties on coffee, chocolate, and cocoa nuts, and all monies ariſing thereby, ſhall be paid to the truſtees of the hempen and flaxen manufactures, to be applied to encourage and ſupport ſaid manufactures and the trade thereof; and ſaid duties on raw and untanned hides, and all money ariſing thereby, ſhall be paid to ſaid truſtees, towards encouraging the raiſing flax-ſeed.

ſaid duties raiſed as by 14 & 15 C. 2. c. 8. or other exciſe laws,

XIII. *ſect.* 13. All additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, collected, and paid unto his majeſty, his heirs and ſucceſſors, during the term aforeſaid, at the ſame time, in like manner, and by ſuch ways, means, and methods, rules and directions, penalties and forfeitures, and powers, as appointed, directed and expreſſed in ſaid act in the fourteenth and fifteenth years of king Charles the ſecond, intituled, *an act for the ſettling the exciſe or new impoſt upon his majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents, as if particularly mentioned and enacted again in the body of this act, with like remedy of appeal, as by ſaid act of exciſe, or any other law now in being relating to the duties of exciſe, is provided.

with like appeal.

Separate accounts kept, and returned,

and weekly abſtracts,

and ſeparate receipts.

XIV. *ſect.* 14. After the 25th of December 1773, a ſeparate and diſtinct account ſhall be kept by the proper officers of the ſeveral ſums ariſing from the ſeveral aids, duties, and taxes hereby newly granted, and the commiſſioners of revenue ſhall return their weekly abſtracts from the collectors to accountant general, and the accountant general ſhall return a ſeparate account of the ſums ariſing from ſaid aids, duties, and taxes to vice-treaſurer or deputies: and every collector or receiver take a ſeparate receipt when paid into his majeſty's treaſury, which receipt ſaid vice-treaſurer or deputies are hereby to give accordingly.

Payments out of ſaid duties.

XV. *ſect.* 15. The ſeveral ſums after mentioned, paid out of the aforeſaid additional duties and aids; four thouſand pounds to the ſpeaker to enable him to maintain the ſtate and dignity of his office; two thouſand pounds *per annum*, for two years, to the truſtees of the hempen and flaxen manufactures, to encourage raiſing ſufficient quantities of hemp and flax; and alſo further two thouſand pounds *per annum*, for two years, to ſaid truſtees, for encouragement of ſaid manufactures in Leinſter, Munſter, and Connaught; and the ſaid ſeveral ſums, freed and diſcharged from the ſix pence *per* pound, and all other fees payable to the vice-treaſurer, receiver or paymaſter general, clerk of the pells, or any other officer of this kingdom; five hundred pounds to Agmondiſham Veſey, accomptant general, as a reward for his expence and trouble in preparing and ſtating the publick accounts; three hundred pounds to Henry Gore, for his expence and trouble in preparing the account of imports and exports for two years; five hundred pounds to Edward Sterling and Henry Alcock, clerks of the houſe, for their attendance and ſervice this ſeſſion; two hundred pounds to Thomas Kirby, clerk aſſiſtant; eight hundred pounds to Dixie Coddington, ſerjeant at arms; three hundred and fifty pounds to Benjamin Higgins and George Melvin, the clerks attending committees; one hundred and twelve pounds to Abraham Bradley, for printing publick accounts; fifty pounds to Hulton Bradley, for his

his attendance in delivering the votes; one hundred pounds to James Mc Cowen and George Harper, door-keepers; two hundred pounds to the ſpeaker, to be divided amongſt the back-door keepers and meſſengers (thirteen in number) as he ſhall direct; one thouſand pounds to Roger Palmer, in conſideration of his extraordinary attendance, care, and expence in the office of paymaſter of corn premiums, during two years; three hundred pounds to William Horton, examinator of corn premiums, on account of the great increaſe of his trouble in examining and keeping accounts of ſaid premiums; two hundred pounds to John Wetheral, chief clerk in examinator's office, for his extraordinary trouble in making up the ſeveral accounts, and in attending the houſe; ten thouſand pounds to the Incorporated Society for Engliſh proteſtant ſchools; nine hundred and twelve pounds to George Winſtanley, being the reſidue of one thouſand ſix hundred and twelve pounds, awarded to him by a jury in January 1765, for his intereſt in certain ground and houſes at the north end of the Old Bridge, Dublin, in full ſatisfaction of all his demands for principal and intereſt; one thouſand five hundred pounds to the lord mayor, ſheriffs, commons, and citizens of Dublin, towards paying off debts contracted in carrying on the ballaſt-office wall; three hundred and ſixty-one pounds four and nine-pence, to Mary Hay, the coſt of printing and binding nineteen ſets of the ſtatutes at large, in nine volumes, delivered to members who had not before received them; one thouſand three hundred and eighty-five pounds two and eight pence to Abraham Bradley, the coſt of fourteen ſets of the journals, delivered to members who had not before received them, and for printing and binding five hundred copies of the fourteenth and fifteenth volumes of ſaid journals; one thouſand pounds to truſtees for carrying on improvement of Cork harbour; eight hundred pounds to truſtees of the new circular road, to enable them to compleat ſaid road; fifty pounds to Benjamin Higgins, for extraordinary trouble during attendance on the committee of accounts; one hundred pounds to Henry Smith, deputy paymaſter of corn premiums; one thouſand pounds to Luke Mercer, George Simpſon, Theophilus Thompſon and David Burleigh, eſquires, and captain William Barton, or any two, for the marine nurſery, and to finiſh their building, to be accounted for to parliament; two hundred and ſeventy nine pounds ſeventeen and four pence to John Dempſey, to enable him to carry on the harbour at Loughſhinny; all which ſums are to be paid by the vice-treaſurer or receivers general, without any other warrant.

XVI. *ſect.* 16. The ſeveral ſums granted by this or any other act in force, and appropriated to encourage raiſing flax and hemp, and the hempen and flaxen manufactures in Leinſter, Munſter, and Connaught, ſhall be applied to ſuch purpoſes only, and no other; and a ſeparate and diſtinct account kept by the proper officer of the application, and laid before parliament.

Sums for hemp and flax applied to no other purpoſe,

ſeparate account thereof.

XVII. *ſect.* 17. The tax of one ſhilling *per* barrel on all herrings imported, paid to the Dublin Society, to be applied to encouragement of fiſheries in the north weſt.

The tax on herrings for the north weſt fiſheries.

XVIII. *ſect.* 18. Provided always, in caſe any herrings ſo imported ſhall be re-exported within nine calendar months, the duties ſhall be repaid to and drawn back by the exporter.

Drawback on export of herrings in nine months.

XIX. *Stat.* 13 & 14 *G.* 3. *cap.* 3. *ſect.* 1. From the 25th of December 1773, until the 25th of December 1775 incluſive, there ſhall be raiſed, levied, collected,

Additional duties to 25 Dec. 1775.

6d. per yard chintz, callicoe, and muſlins imported.

lected, and paid, the ſeveral rates and additional duties after mentioned, upon all chintzes, calicoes, and muſlins of the manufacture of China, Perſia, and the East Indies, imported, ſix pence per yard.

Raiſed and paid as by 14 & 15 C. 2. c. 8. or other exciſe laws,

XX. *ſect.* 2. The ſeveral additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, collected, and paid, at the ſame time, in like manner, and by ſuch ways, means, and methods, rules and directions, under ſuch penalties and forfeitures, and with ſuch powers as by an act 14 & 15 C. 2. *for the ſettling the exciſe or new impoſt*; or by any other law now in force relating to the revenue of exciſe, as fully and effectually, as if particularly mentioned, expreſſed, and enacted again in this act, with like remedy of appeal to the party grieved, as by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe is provided.

with like appeal.

No duty for juniper-berries or the oil imported.

XXI. *Stat.* 13 & 14 *Geo.* 3. *cap.* 8. *ſect.* 17. After the 24th of June, no duty whatſoever paid to his majeſty, his heirs and ſucceſſors, for or on account of any juniper-berries, or any oil extracted from juniper-berries imported.

Duty on import of brimſtone on ſalt-petre, uſed to extract oil of vitriol or *aquafortis* for linen manufacture, repaid on affidavit.

XXII. *ſect.* 18. Where any perſon ſhall import crude brimſtone or ſalt-petre, and make uſe of the ſame in extracting therefrom oil of vitriol or *aquafortis* for uſe of the linen manufacture of this kingdom, ſuch perſon ſhall be entitled to receive, and the collector of the port or diſtrict within which ſuch crude brimſtone and ſalt-petre ſhall have been imported, ſhall repay to ſuch perſon, all ſuch duties as have been paid by him on the importation thereof, on his making it appear by affidavit to collector, that ſuch crude brimſtone and ſalt-petre have been uſed in making vitriol or *aquafortis*, and that ſuch vitriol or *aquafortis* have been made uſe of, ſold, or diſpoſed of by him for the uſe of the linen manufacture of this kingdom, and for no other purpoſe.

## Fire.

11 & 12 G. 3. c. 14. repealed as to aſſeſſment by miniſters money,

aſſeſſed upon occupiers of houſes by the value.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 24. *ſect.* 5. Whereas by an act laſt ſeſſion, for preventing ſpreading of fires, and for appointing watches, the ſums raiſed ſhall be aſſeſſed upon occupiers of houſes within their pariſhes, according to miniſters money: and ſuch valuation has been found inexpedient, ſo much of ſaid act ſhall be repealed, and ſuch ſums ſhall be aſſeſſed by the perſons and in manner therein directed upon the occupiers of the ſeveral houſes within ſuch pariſhes reſpectively, according to value of ſuch houſes reſpectively.

Judges of aſſize on complaint of neglect to provide fire-engines, may order ſol. on the pariſh;

levied as preſentments;

paid to miniſter for purpoſes of ſaid act;

complaint examined on oath.

II. *ſect.* 6. If any of ſaid pariſhes ſhall after 1 June next neglect to make proviſion for purpoſes in ſaid ſecond act, ſo far as the ſame relates to providing fire-engines, it ſhall be lawful for the judges of aſſize, or one of them, upon complaint of ſuch neglect to order any ſum not exceeding fifty pounds, to be raiſed upon the pariſh guilty of ſuch neglect; and the ſum ſo ordered, ſhall be aſſeſſed and levied upon ſuch pariſh by the perſons, in manner, and with like remedies, as money preſented by grand juries; and ſums ſo raiſed ſhall be paid to the miniſter or curate of ſuch pariſh, and by him applied to purpoſes of ſaid ſecond act; and the judges, to whom ſuch complaint made, are impowered and required to examine upon oath touching the matter.

## Fire.

III. *ſect.* VII. If any action or ſuit againſt any perſon, for any thing done in purſuance of this, or of the two acts herein mentioned, the defendant may plead the general iſſue, and give the ſpecial matter in evidence; and this act deemed a publick act, and judicially taken notice of as ſuch.

General iſſue, and ſpecial matter in evidence; a publick act.

## Fiſh.

I. *Stat.* 13 & 14 *G.* 3. *cap.* 41. *ſect.* 12. If any perſons ſhall, after the firſt of June next, take or deſtroy any fiſh whatſoever in the bay of Dublin by trawling, ſuch perſons ſhall, on due proof before any one or more juſtices of the county or county of city of Dublin, forfeit and pay ten pounds, together with the boat or veſſel ſo employed in trawl fiſhing, with all her tackle, ſails, and rigging; together with ſuch fiſhing-trawls and geer made uſe of in ſuch trawling: ſaid ſum to be levied by diſtreſs and ſale of goods of perſons ſo offending; one moiety to the uſe of the marine ſociety, the other of ſuch perſon or perſons who ſhall inform and proſecute to conviction the perſons found guilty of trawling as aforeſaid.

Trawling in Dublin bay, penalty 10l. with the boat and tackle;

the 10l. to marine ſociety and proſecutor.

II. *ſect.* 13. And whereas trawling in ſaid bay has been practiſed frequently by many revenue officers, any ſuch officer tranſgreſſing ſaid act in veſſels, whether belonging to the revenue, or otherwiſe, upon conviction thereof before one or more juſtices of the county, or county of city of Dublin, ſhall forfeit, in like manner, twenty pounds, together with the trawl and tackling belonging thereto; recovered and applied in manner aforeſaid; which penalties and forfeitures to be in force to the 24th of June 1778, and to end of then next ſeſſion.

Revenue officers forfeit 20l.

as to penalties, to 24 June 1778, &c.

## Forgery.

I. *Stat.* 13 & 14 *G.* 3. *cap.* 14. *ſect.* 1. Whereas an act 5 G. 2. has been found ineffectual; if any perſon after the 1ſt of May 1774, ſhall falſely make, alter, forge, or counterfeit, or cauſe or procure to be falſely made, altered, forged, or counterfeited, or willingly act or aſſiſt in the falſe making, altering, forging, or counterfeiting any acceptance of any bill of exchange, or the number or principal ſum of any accountable receipt for any note, bill, or other ſecurity for payment of any money, or any warrant or order for payment of money, or delivery of goods to value of five pounds, with intention to defraud any perſon whatſoever, or ſhall utter or publiſh as true any falſe, altered, forged, or counterfeited acceptance of any bill of exchange, or accountable receipt for any note, bill, or other ſecurity for payment of any money, or any warrant or order for payment of money, or delivery of goods to value of five pounds, with intention to defraud any perſon, knowing the ſame falſe, altered, forged, or counterfeited, every ſuch perſon, being thereof lawfully convicted according to due courſe of law, ſhall be deemed guilty of felony, and ſuffer death as a felon without benefit of clergy.

To forge or alter, &c. or aſſiſt therein, ſecurities for money or order for delivery of goods, value 5l. with intent to defraud, or utter as true knowing falſe, felony without clergy.

## Game.

I. *Stat.* 13 & 14 *G.* 3. *cap.* 41. *ſect.* 2. An act 3 G. 3. for better preſervation of the game; and alſo one clauſe in an act 31 G. 2. which makes the killing and deſtroying of wild turkies ſubject and liable to certain penalties and forfeitures, continued to the 24th of June 1778, and to the end of the then next ſeſſion, and no longer.

3 G. 3. c. 23. 31 G. 2. c. 9. ſ. 4. continued to 24 June 1778, &c.

II. *ſect.*

25 G. 2. c. 5. continued to 24 June, 1778, &c.

II. *Sect.* 6. An act 25 G. 2. for preſervation of Game, continued to 24th of June 1778, and to end of then next ſeſſion.

Traceing hares in ſnow, penalty not under 10s. nor above 20s. to informer.

III. *Stat.* 13 & 14 G. 3. *cap.* 42. *ſect.* 6. Every perſon convicted of traceing hares in the ſnow upon any grounds not belonging to themſelves, before any one or more juſtices in county where offence committed, (ſuch juſtices impowered and required to hear and determine in a ſummary way) ſhall forfeit a ſum not leſs than ten ſhillings, nor more than twenty ſhillings for every ſuch hare taken or killed by following the tracks in the ſnow; the ſaid penalty to be paid over by ſuch juſtices to informer or informers.

Taking or killing by night, or uſing engines,

convicted before any juſtice on one witneſs,

confined not above 2 months nor under 1.

Conviction drawn by the juſtice.

IV. *Sect.* 7. If any perſon wilfully, upon any pretence whatſoever, take, kill, or deſtroy any hare, pheaſant, partridge, moore-game, heath-game, or grouſe, in the night, between one hour after ſun-ſetting and one hour before ſun-riſing, or uſe any gun, dog, ſnare, net, or other engine for taking, killing, or deſtroying, in the night, as aforeſaid, except upon their own lands, and convicted upon oath of one or more credible witneſſes, before any one or more juſtices for any county, every ſuch perſon ſhall for firſt offence, be committed to common gaol or houſe of correction, without bail or mainprize, for any time not exceeding two calendar months, nor leſs than one.

V. *Sect.* 8. Every juſtice before whom any perſon convicted of any offence, relative to game, againſt this act, ſhall cauſe the conviction to be drawn up in the following form, or any form to ſaid effect, as the caſe ſhall happen, viz.

*Be it remembered, that on the day of in the year of our Lord, A. B. is convicted before me C. D. one of his majeſty's juſtices of peace for the county.* (ſpecifying the offence, time and place, when and where the ſame committed, as the caſe ſhall be) *Given under my hand and ſeal, the day and year aforeſaid.*

Appeal to next aſſizes,

jury if need be;

coſts,

Recognizance by appellant with 2 ſureties,

final;

not quaſhed for form, nor removed by *certiorari*, &c.

VI. *Sect.* 9. Any perſon aggrieved by any thing done in purſuance of this act relative to the game, by any one or more juſtice or juſtices, may appeal to next judges of aſſize, for the county wherein the cauſe of complaint ſhall ariſe, who are required to hear and determine the ſame, and, if need be, to cauſe to be impannelled a jury to try any fact or facts, which may ariſe upon ſuch complaint, and to award ſuch coſts to parties appealing or appealed, as ſaid judges think proper; ſuch perſon appealing having firſt entered into recognizance before ſome juſtice for ſuch county, with two ſufficient ſureties, conditioned to try ſuch appeal, and abide the order of, and to pay ſuch coſts as awarded by ſaid judges of aſſize; and the determination of ſaid judges ſhall be binding and concluſive to all intents and purpoſes; and no order concerning any matters, proceedings, or convictions aforeſaid, relative to game, ſhall be quaſhed for want of form, or be removed by *certiorari*, or any other writ or proceſs whatſoever, into any courts of record at Dublin.

## Glebes.

Rec. 2 A. c. 10. ſ. 3.

I. *Stat.* 13 & 14 G. 3. *cap.* 27. *ſect.* 1. Whereas by an act 7 A. it is enacted, that lands given in exchange for glebes, or any part exchanged, ſhall be held by rectors and vicars, and ſucceſſors, as glebe, notwithſtanding the

ſame

ſame did formerly belong to any archbiſhop, biſhop, tenant for life or in tail, with the conſent of the perſon immediately in remainder: and whereas it hath been found expenſive, inconvenient and impoſſible in many caſes to obtain ſuch conſent; it ſhall be lawful for perſons ſeized of an eſtate tail in poſſeſſion in any lands by deeds, under their hands and ſeals, to exchange ſuch lands, or any part, as a glebe for the incumbent or miniſter of any pariſh having actual cure of ſouls, or for a demeſne for a maſter of any free ſchool in ſuch manner and effect, as perſons ſeized of eſtate tail in poſſeſſion of any lands are enabled to grant ſuch lands as a glebe for incumbent of any pariſh having actual cure of ſouls, by an act 1 G. 2. intituled, *an act for rendering more effectual an act, intituled, an act for better enabling the clergy having cure of ſouls to reſide upon their benefices, and for encouragement of proteſtant ſchools*; and under ſuch regulations as they might by ſaid act, 2 A. or any other act in force.

Remainder man's conſent inconvenient to be obtained; tenant in tail may by deed exchange for a glebe or ſchool-maſter's demeſne, as by 1 G. 2. c. 15. 2 A. c. 10. or any other act.

II. *ſect.* 2. It ſhall be lawful for the rectors, vicars, and other perſons having any cure of ſouls, or the maſter of any free ſchool, by deed, to exchange ſuch glebes or demeſnes, as lie at a diſtance from the pariſh church or free ſchool, or any part, with any lay corporation, or body corporate or politick, for lands of equal value, worth, and purchaſe, near and convenient to ſaid church or ſchool, as by the act 2 A. intituled, *an act for the exchange of glebes belonging to churches*, directed.

Diſtant glebe or demeſne may by deed be exchanged with corporations for equal lands near and convenient, as by 2 A. c 10.

III. *ſect.* 3. It ſhall be lawful for any lay corporation, or body corporate or politick, by proper deeds in writing under corporation ſeal, and enrolled within ſix months, for which enrollment thirteen and four pence, and no more, ſhall be paid, over and above the expences uſually paid to the engroſſing clerk, to endow any church, chappelry, or perpetual curacy, appropriate or impropriate, having no glebes, or not above ten acres, with a new glebe; provided the ſaid new glebe of any one church, chappelry, or perpetual curacy, ſo endowed, ſhall not exceed forty acres at moſt; and ſaid lands ſhall be conſidered as glebe lands to all intents, purpoſes, and advantages of the ſeveral ſtatutes in force, for encouragement of building and improving upon glebe or church lands.

Corporations may by deed inrolled endow with new glebe not above 40 acres where none, or only 10 acres, inrollment 13s. 4d.

IV. *ſect.* 6. And whereas by an act 11 & 12 G. 3. it is enacted, that where any archbiſhop, biſhop, or other eccleſiaſtical perſon, ſhall obtain a certificate for erecting new buildings, or making other neceſſary improvements on a new ſite within his demeſne, glebes, or menſal lands, as is by ſaid in part recited act directed, he, his executors, &c. ſhall from his next and immediate ſucceſſor, inſtead of three fourths, receive the full ſum compriſed in ſuch certificate; provided ſuch ſum ſhall not exceed the clear value of two years income: and whereas it hath been doubted, whether perſons, who ſhall build or make improvements, or have ſo built or made improvements, ſhall be intitled to ſaid ſum, although they have not compleated or finiſhed their ſaid buildings and improvements, ſo as to make them fit and proper for reſidence of themſelves and ſucceſſors; the archbiſhops, biſhops, and other eccleſiaſtical perſons, and all maſters of free ſchools, who have heretofore, or ſhall hereafter, ſo build and make improvements upon their demeſne, glebe, or menſal lands, ſhall not be intitled to a certificate for a ſum not exceeding clear two years income, except they ſhall have previous thereto compleated and finiſhed their ſaid buildings and improvements, agreeable to memorials approved of, and made them fit and proper for reſidence of themſelves and ſucceſſors, but ſhall receive three fourths only, for ſo much of as expended, before

Recital 11 & 12 G. 3. c. 17. ſ. 4 & 5. doubt thereon; no certificate for 2 years income for buildings and improvements on glebes, &c. unleſs compleated ſo as fit for reſidence, but for 3-4ths only as by 12 G. 1. c. 10.

before the death or removal of ſaid archbiſhops, biſhops, ſchool-maſters, and other eccleſiaſtical perſons, as directed by 12 G. 1. intituled, *an act to amend and explain an act*, intituled, *an act to encourage building of houſes, and making other improvements on church lands, and to prevent dilapidations.*

## Hawkers and Pedlars.

To pay 20s. a year to 25 March 1776;

I. *Stat.* 13 & 14 G. 3. *cap.* 9. *ſect.* 1. After the 25th of March 1774, until the 25th of March 1776, there ſhall be anſwered and paid to his majeſty, his heirs and ſucceſſors, by every hawker, pedlar, petty-chapman, or other trading perſon going from town to town, or to other mens houſes, fairs, marts, or markets, and travelling either on foot or with horſe, horſes, or otherwiſe, (except as after mentioned) carrying to ſell, or expoſing to ſale, any goods, wares, or merchandizes (except as after mentioned) a duty of twenty ſhillings by the year; and every perſon ſo travelling with a horſe, aſs, or mule, or any other beaſt bearing or drawing burthen, ſhall pay twenty ſhillings by the year from the 25th of March 1774, to the 25th of March 1776 for each beaſt or beaſts bearing or drawing burthen, he or ſhe ſhall ſo travel with, over and above ſaid firſt mentioned duty of twenty ſhillings by the year; which ſaid rates and duties ſhall be collected by ſuch perſons, manner, ways, and means, as the duty for licences to keep alehouſes is raiſed and collected by an act 33 G. 2. and the ſeveral acts and ſtatutes mentioned in ſaid act, and continued thereby, as fully to all intents, as if the proviſions in ſaid act for that purpoſe were particularly expreſſed, and enacted again in this act.

and 20s. each beaſt;

raiſed as for alehouſe licences by 33 G. 2. c. 10. ſ. 93.

Note yearly to collector of intended manner of travelling,

II. *ſect.* 2. Every pedlar, hawker, petty-chapman, and other trading perſon ſo travelling, ſhall before the 25th of March 1774, and ſo likewiſe in every year, deliver or cauſe to be delivered to the collector of exciſe of the diſtrict, where he or ſhe reſide or dwell, a note in writing under his or her hand, or hand of ſome perſon by her or him authorized, how or in what manner he or ſhe intends to travel and trade, whether on foot, or with one or more horſes, aſſes, mules, or other beaſts bearing or drawing burthen; and

licence thereupon.

thereupon a licence ſhall be granted by ſuch collector for his or her ſo travelling and trading; for which he or ſhe ſhall thereupon pay or cauſe to be paid for each licence unto ſuch collector the yearly duty herein before directed.

Trading contrary thereto 5l.

III. *ſect.* 3. If any ſuch hawker, pedlar, petty-chapman, or other perſon after the 25th of March 1774, be found trading as aforeſaid, without, or contray to, or not warranted by ſuch licence, ſuch perſon ſhall for every ſuch offence forfeit five pounds; one moiety to informer, the other to the incorporated ſociety in Dublin for promoting Engliſh proteſtant ſchools in Ireland; and if any perſon ſo trading, upon demand made by any officer appointed by ſaid ſociety in purſuance of this act, or any revenue officer, or any juſtice of peace, mayor, conſtable, or other officer of peace of any county, city, town-corporate, or borough, where he or ſhe ſhall ſo trade, refuſe to produce and ſhew immediately licenſe for ſo trading, the perſon ſo refuſing ſhall forfeit twenty ſhillings to the informer, and for non-payment, ſhall ſuffer as a common vagrant, and be committed to the houſe of correction.

to informer and the ſociety;

refuſing to ſhew licence 20s. to informer, or committed;

IV. *ſect.*

IV. *ſect.* 4. It ſhall be lawful for the collectors of the ſeveral diſtricts, and they are reſpectively directed, appointed, and required, upon the terms and receipt aforeſaid, to grant one or more licence or licences under their reſpective hands to every hawker, pedlar, petty-chapman, or any other trading perſon for him or herſelf, with one or more horſes, aſſes, mules, or beaſts which he, ſhe, or they ſhall travel with, as the caſe ſhall require, according to the term and directions of this act; and ſaid collectors are to inſert in ſuch licences, the ages, places of abode, and a particular deſcription of the perſons to whom licences granted purſuant to this act, and to number each licence, and keep particular entries of ſuch deſcriptions and licences; for each of which licences ſhall be taken by ſuch collectors for their own uſe one ſhilling, and no more, except ſuch hawker, pedlar, or petty-chapman ſhall travel with horſe, aſs, mule, or other beaſt bearing or drawing burthen; and in that caſe there ſhall be paid to ſuch collectors for their own uſe for each of ſuch licences for horſes or beaſts of draft two ſhillings, and no more, over and above the duties aforeſaid; and ſaid collectors ſhall keep ſeparate and diſtinct accounts of the duties hereby granted, and pay the money ariſing thereby into his majeſty's treaſury, as other money received by them for uſe of his majeſty.

Collectors to grant licence, with age, abode, and deſcription, numbered and entered;

fee, 1s.

if with a beaſt, 2s.

ſeparate accounts kept, paid to the treaſurer.

V. *ſect.* 5. Said collectors ſhall be accountable to his majeſty for the duties hereby granted, and ſubject to like penalties and forfeitures for not rendering a true account thereof, and paying in manner before mentioned, as they are liable unto for not rendering a true account of any money received for uſe of his majeſty.

Accountable as for other money to the king's uſe.

VI. *ſect.* 6. The monies ariſing from ſaid duties ſhall from time to time be brought into receipt of exchequer, and without any fee or deduction whatſoever be paid by vice-treaſurer or receiver-general to the incorporated ſociety in Dublin for promoting Engliſh proteſtant ſchools in Ireland, or to their treaſurer for uſe of ſaid ſociety.

Payment to the ſociety.

VII. *ſect.* 7. If any perſon forge or counterfeit, or cauſe to be forged or counterfeited, any licence for the purpoſe aforeſaid, or travel with ſuch forged counterfeit licence, knowing the ſame forged or counterfeited, ſhall forfeit fifty pounds; one moiety to the king, the other to him who ſhall proſecute or ſue; to be recovered by action of debt, bill, plaint, or information in any courts of record at the four-courts in Dublin, in which no eſſoign, protection, or wager of law, or more than one imparlance allowed; and ſuch perſon ſhall be ſubject to ſuch other pains and penalties as may be inflicted for forgery.

Forged licence 50l.

to king and proſecutor;

and other penalties.

VIII. *ſect.* 8. If any perſon ſued, moleſted, or troubled for putting in execution any of the powers in this act, or doing any matter or thing purſuant thereto, ſuch perſon ſhall and may plead the general iſſue, not guilty, and give the ſpecial matter in evidence; and if the plaintiff non-ſuited, or judgment againſt him, upon demurrer or otherwiſe, or a verdict for defendant, or a diſmiſs upon a civil bill, ſuch defendant ſhall have treble coſts, recovered as where by law coſts given to defendants.

General iſſue;

treble coſts on non-ſuit, &c.

IX. *ſect.* 9. If any conſtable refuſe or neglect upon due notice or his own view to be aiding and aſſiſting in execution of this act, being thereunto required, every ſuch conſtable, being thereof convicted by the oath of one or more credible witneſs or witneſſes before any juſtice of peace for the county or place where ſuch offence committed, ſhall forfeit for every ſuch offence contrary to this act forty ſhillings, levied by diſtreſs and ſale of of-

Conſtable's neglect 40s. to the ſociety and proſecutor.

fenders goods by warrant under hand and ſeal of ſuch juſtice; one moiety to incorporated ſociety, the other to informer who ſhall proſecute, rendering the overplus to the owner, if any be.

Any one may ſeize till licence produced, brought before a juſtice or collector;

X. *ſect.* 10. It ſhall be lawful for any perſon whatſoever to ſeize and detain any ſuch hawker, pedlar, petty-chapman, or other trading perſon, and alſo the goods they ſhall be found trading with, until he produce a licence in that behalf, if he, ſhe or they have any; and if found trading without licence contrary to this act, it ſhall be lawful for ſuch perſon ſo ſeizing, taking to aſſiſtance ſuch perſon or perſons as he or they ſhall think fit, to carry the perſons ſo ſeized, as alſo the ſaid goods, before ſome one of his majeſty's juſtices of peace for the county or place, or before the collector of revenue for the diſtrict where ſuch offence committed; which ſaid juſtice of the peace, and the collectors reſpectively are ſtrictly required, either upon confeſſion of the party offending, or due proof of a witneſs upon oath, which they are reſpectively impowered to adminiſter, that the perſon ſo brought, had ſo traded as aforeſaid, unleſs ſuch licence produced by ſuch offender before ſaid juſtice or collector, by warrant under his hand and ſeal, to cauſe five pounds to be forthwith levied by diſtreſs and ſale of offenders goods, wares, or merchandizes, rendering the overplus to the owner, after deducting the reaſonable charge for taking ſaid diſtreſs, and out of ſaid ſale to pay the penalty and forfeiture aforeſaid.

penalty 5l. by diſtreſs and ſale.

Exempted, printed papers, fiſh, fruit, victuals, real makers, tinkers, &c.

XI. *ſect.* 11. This act ſhall not extend to prohibit any perſon from ſelling any act of parliament, form of prayer, proclamation, gazette, almanack, or other printed paper, or any fiſh, fruit, or victuals, nor to hinder the real workers or makers of any goods or wares within this kingdom, their wives or apprentices from carrying abroad, expoſing to ſale, and ſelling any of the ſaid goods or wares of his or their making in any publick fairs, markets, or elſewhere; nor any tinker, cooper, glazier, plumber, harneſs-mender, or other perſons uſually trading in mending kettles, tubs, houſehold goods, or harneſs whatſoever, from going about ſuch buſineſs only, or from carrying proper materials for mending the ſame, and no other thing for ſale.

Raw wool, frizes, worſted or woollen ſtockings.

XII. *ſect.* 12. This act ſhall not extend to ſubject any perſons who carry raw and unmanufactured wool or frizes, or worſted or woollen ſtockings, from one part of the kingdom to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom to any of the duties or penalties before mentioned, ſo as ſuch perſons ſhall not at the ſame time carry or expoſe to ſale any other wares, goods, or merchandizes.

Flax, &c. yarn, linens, &c.

XIII. *ſect.* 13. This act ſhall not extend to prohibit or reſtrain any perſons from ſelling or expoſing to ſale in any place whatſoever, any flax, tow, hemp, flaxen-yarn, hempen-yarn, ticken, plain, ſtriped, chequered, painted, or ſtained linens, buckrams, or canvas, ſo as ſuch perſons ſhall not at the ſame time carry or expoſe to ſale any other goods, wares, or merchandizes.

Iron or metal pots or griddles 20s. a year only, tho' with horſes.

XIV. *ſect.* 14. This act ſhall not extend to ſubject perſons, who carry any pots or griddles of caſt iron or metal from one part to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom, to payment of any greater duty than twenty ſhillings by the year in the whole, although ſuch perſons trade or travel with one or more horſes, or other beaſts drawing or bearing burthen, ſo as ſuch perſons ſhall not, at the ſame time,

carry

carry or expoſe to ſale any other goods, wares or merchandizes, except the ſaid pots and griddles made of caſt iron metal.

XV. *ſect.* 15. It ſhall be lawful for the commiſſioners of revenue, or any three or more, to order and direct to be paid out of the monies raiſed by this act to ſaid collectors, their clerks, or any other perſons, ſuch ſums as they or any of them reaſonably deſerve for their ſervice, or have expended in the execution of or in relation to this act. Reaſonable ſum for ſervices.

XVI. *ſect.* 16. This act ſhall not extend to give any power for licenſing any hawker, pedlar, or petty-chapman to ſell or expoſe to ſale any wares or merchandizes in any city, borough, town corporate, or market town, any otherwiſe than he or ſhe might have done before this act; any thing herein to the contrary notwithſtanding. Not to licenſe ſale in corporations, ſave as before.

XVII. *ſect.* 17. Whereas dealers, hawkers, and pedlars, fraudulently to evade the duty on licences, do not openly travel from town to town, or to other mens houſes, but privately convey and carry their goods, wares, and merchandizes, and ſell or expoſe to ſale in ſhops, rooms, or warehouſes, or other places hired for that purpoſe in cities, towns, and places where they are not uſually reſident, and divers other perſons privately carry and convey their goods, wares, and merchandizes to publick ſtreets and places in cities, towns corporate, and other places where they reſide, but not adjoining or near to their dwelling-houſes, ſhops, warehouſes, or other apartments, and ſell and expoſe the ſame to ſale upon booths, ſtalls, or ſtandings, without licence: and whereas ſeveral people under denomination of leather cutters or ſellers, hawk about and expoſe to ſale in cities and towns corporate, fairs, marts, markets, and other places, large and ſmall parcels of leather in booths, ſtalls, ſtandings, or otherwiſe; and alſo divers perſons under denomination of cryers of old caſt cloaths do alſo hawk about the ſtreets of cities, towns corporate, and other places, old caſt cloaths, and alſo expoſe to ſale ſeveral of ſuch kind of goods on ſtands or ſtalls, or otherwiſe, without licence: and whereas a doubt hath ariſen, whether ſuch perſons aforeſaid are to be deemed hawkers, pedlars, or petty-chapmen, or trading perſons within the meaning and intention of the acts heretofore made for licenſing hawkers and pedlars, and ſubject to penalties and forfeitures thereof; therefore after the 25th of March 1774, until the 25th of March 1776, all the perſons aforeſaid ſhall pay ſuch duty, and take out ſuch licences as aforeſaid; and in caſe any perſons whatſoever found trading or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as herein excepted) in any ſhop, room, warehouſe, or other place in any city, borough, town corporate, market-town, village, or other place, wherein they have not been reſident one calendar month previous to the ſelling or expoſing, and ſell or expoſe to ſale ſuch goods, wares, or merchandizes therein, or in any of them, without licence as aforeſaid, ſuch perſons reſpectively, and alſo all ſuch perſons as found trading or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as aforeſaid) upon booths, ſtalls, ſtandings, or otherwiſe, in any publick ſtreet or places in any city, borough, town-corporate, market-town, village, or other place not adjacent or adjoining their dwelling-houſe, ſhop, warehouſe, or other apartments; and alſo all perſons under denomination of leather-cutters or ſellers, who ſhall hawk about from town to town, and ſell or expoſe to ſale in cities and towns corporate, fairs, marts or markets, or other places, large or ſmall parcels of leather in or upon booths, ſtalls, ſtandings, or otherwiſe; and alſo all perſons Private conveying goods, and ſelling in hired places, or on booths or ſtalls without licence, leather cutters and ſellers, cryers of old cloaths, deemed within the act.

ſons under the denomination of cryers of old caſt cloaths, who hawk about the ſtreets, lanes, or alleys of cities and towns corporate, and other places, to purchaſe or ſell old caſt cloaths of any kind whatſoever, or ſell, or expoſe to ſale, any ſuch goods on ſtands, ſtalls, or otherwiſe, without licence as aforeſaid, every ſuch perſon ſhall be deemed and taken a hawker, pedlar, petty-chapman or petty-chapmen, within the meaning of this act, to all intents and purpoſes, and liable to all penalties and forfeitures by the ſame inflicted upon hawkers, pedlars, petty-chapmen, and others trading without licence; any thing herein to the contrary notwithſtanding.

Separate foot and horſe licences taken out by every perſon employed,

XVIII. *ſect.* 18. After the 25th of March 1774, until the 25th of March 1776, every hawker, pedlar, and petty-chapman, for every perſon that ſhall be employed, or carry, whether ſervant or other perſon, in his or her company, or otherwiſe, any boxes or bundles, or parcels of goods, wares, or merchandizes on their backs, arms, or otherwiſe, ſeparate or diſtinct, for the purpoſe of ſelling and trading with the ſame, ſhall take out, and pay for as aforeſaid, a ſeparate and diſtinct foot-licence for every ſuch perſon; and

and for every horſe, &c.

alſo every hawker, pedlar, and petty-chapman, for every horſe, mule, aſs, or beaſt of burthen, that he or ſhe ſhall make uſe of, or drive, whether in his or her own company, or otherwiſe, ſhall take out and pay for a ſeparate and diſtinct horſe-licence; and ſuch ſeparate and diſtinct perſon, whether ſervant or other employed or carrying ſuch boxes, bundles, or parcels; and ſuch hawker, pedlar, or petty-chapman, that ſhall not take out a horſe-licence for every horſe or beaſt of burthen he or ſhe ſhall make uſe of or drive, ſhall be liable to all penalties and forfeitures by this act inflicted upon hawkers, pedlars, petty-chapmen, and others trading without licence; it being the true intent and meaning of this act, that for one foot-licence no more goods, wares, or merchandizes, ſhall be hawked about for ſale, than one perſon can well or reaſonably bear or carry, or travel with; and for one horſe-licence no more ſhall be carried about as aforeſaid, than one horſe, aſs, mule, or other beaſt of burthen, can well or reaſonably bear, or carry or travel with; any thing herein to the contrary notwithſtanding.

The ſociety may by commiſſion under ſeal appoint inſpectors,

XIX. *ſect.* 19. After the 15th of March 1774, until the 25th of March 1776, it ſhall be lawful for the Incorporated Society in Dublin for promoting Engliſh proteſtant ſchools in Ireland, at all times during the continuance of this act by commiſſion under their corporation ſeal, to appoint one or more inſpector or inſpectors, or other officer or officers in ſuch diſtrict or places in this kingdom, as the ſaid ſociety from time to time ſhall think fit,

with reaſonable ſalary.

with ſuch ſalary, premium, or encouragement, as to ſaid ſociety ſhall ſeem reaſonable, for the due and faithful diſcharge of his duty. And ſuch inſpectors or officers are impowered to examine, ſearch, inſpect, detect, and bring to juſtice all offenders againſt this act: and ſaid ſociety are empowered at will and pleaſure to remove and diſplace ſuch inſpectors or officers, and

May remove and appoint others.

from time to time, as neceſſary, to appoint other perſons in their ſtead.

XX. *ſect.* 20. Perſons ſo appointed inſpectors or officers, ſhall, before they enter upon their offices, take before the ſaid ſociety, or any juſtice of peace, who are hereby empowered to adminiſter the ſame, the oath following:

Oaths of inſpectors before the ſociety or a juſtice.

*I A. B. do ſwear, that I will diligently ſearch for, and examine all hawkers, pedlars, petty-chapmen, and others I ſhall diſcover ſelling, or expoſing to ſale, any goods, wares, or merchandizes within my diſtrict, and that ſuch as I ſhall find*

*travelling*

*travelling or trading within the ſame without licence, contrary to an act of parliament made in Ireland in the fourteenth year of his preſent majeſty, intituled,* an act for licenſing hawkers and pedlars, and for the encouragement of Engliſh proteſtant ſchools; *I will uſe my utmoſt endeavours to bring to juſtice, and will well and faithfully execute the office of inſpector of hawkers and pedlars, purſuant to the ſaid act.*

## Highways.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 26. *ſect.* 1. The treaſurers of turnpike-boards ſhall on or before the firſt of October 1774, depoſite with clerks of peace of the counties reſpectively through which turnpike-roads, or any part thereof are carried, full, true, and fair copies of all contracts made with commiſſioners of ſaid turnpike-roads reſpectively, for making and repairing ſaid roads, or any bridges on them; and all orders made by the commiſſioners, or a competent number, for any purpoſe whatſoever, any ways relative to ſaid turnpike-roads reſpectively, down to the firſt of October 1774, and all ſuch contracts and orders as aforeſaid, made after that day, within one calendar month after making the ſame, and after the firſt of October 1774 yearly, on every firſt of October, the full annual produce of the toll of the turnpike-roads of this kingdom reſpectively, and expences of collecting the ſame.

Turnpike treaſurers by 1ſt Octob. 1774, to depoſite with clerks of peace copies of contracts with and orders by commiſſioners,

ſubſequent in one month after making,

every 1ſt Octob. the annual produce of turnpike toll and expence of collecting.

II. *ſect.* 2. Every treaſurer of any turnpike-board who ſhall fail to comply with ſaid orders hereby given, or any of them, ſhall forfeit twenty pounds for every calendar month, during which he ſhall fail after the times aforeſaid reſpectively to comply with ſaid orders, or any of them; which penalty ſhall be ſued for by civil bill, levied and recovered as is directed, and by the ſame rules, in all reſpects, given by the laws, which have created that judicature in the caſes provided for by thoſe laws, in name of clerk of crown of that county, where the civil bill ought to be brought; and where no treaſurer, or where the treaſurer abſconding or inſolvent, ſaid duties, hereby required to be performed by the treaſurer, ſhall be performed by the perſons reſpectively who do or ſhall receive the tolls of ſaid turnpike-roads reſpectively, or any part of ſaid tolls from gate-keepers or immediate collectors of ſaid tolls; and if ſaid duties, incumbent on ſaid laſt mentioned perſons, ſhall not be performed by them, the perſons reſpectively receiving ſaid tolls, or any part, may be ſued for and compelled to pay ſaid penalties as aforeſaid; and clerks of crown of counties, are required, upon application of any perſon who ſhall firſt depoſite with them reſpectively twenty ſhillings for every civil bill brought as aforeſaid, to indemnify them reſpectively from the coſts of a diſmiſſal, ſhall permit ſuch ſuits by civil bill to be carried on with effect in their names, and after a decree obtained ſhall ſee ſaid penalties duly and effectually levied; and ſaid penalties, when levied, ſhall be diſpoſed of in manner following, that is to ſay, in the firſt, a ſum not exceeding forty ſhillings, ſhall be deducted thereout for coſts and expences of each ſuit by civil bill; and one tenth of each penalty to the perſon who ſhall promote ſaid ſuit; one other tenth part to clerk of crown for his trouble, one other tenth part to clerk of peace for his trouble; and remainder ſhall be given to governors of the infirmary of that county, where the penalties incurred, for uſe of that infirmary; and clerks of peace are required to preſerve all ſaid papers and writings, ſo depoſited with them, carefully in their offices; and to ſuffer them at all ſeaſonable and convenient hours

Penalty on treaſurers 20l. per month,

by civil bill in crown clerk's name;

if no treaſurer, or inſolvent, done by receivers of toll from gate-keepers,

or like penalties;

crown-clerks on depoſite of 20s. ſhall permit ſuit, and inforce penalty;

coſts, not above 40s. firſt deducted,

one 10th to proſecutor,

one 10th to crown clerk,

one 10th to peace clerk,

reſidue to infirmary;

peace clerks to preſerve papers, and permit inſpection at aſſizes and ſeſſions;

hours to be inſpected during aſſizes and quarter-ſeſſions by every literate perſon, who ſhall deſire it; which the judges of aſſize, and juſtices of ſeſſions reſpectively, are authorized and required upon complaint to enforce a due compliance with, and to order in all caſes of neglect thoſe offences to be proceeded againſt as for a failure in performance of duties of their offices reſpectively.

on complaint inforced at aſſizes and ſeſſions.

No order for payment without affidavit, by thoſe principally employed on road or bridge,

ſworn before two juſtices.

III. *ſect.* 3. No turnpike commiſſioner ſhall ſign any order for paying, nor ſhall any treaſurer of any turnpike board pay any ſum to any perſon whatſoever, for making or repairing any turnpike-road, or any part, or any bridge, or any turnpike-road, till the perſon ſo applying firſt produce to ſuch commiſſioners and treaſurers, or other perſons receiving the tolls reſpectively, on affidavit ſworn by the perſon or perſons principally employed in making or repairing, before two juſtices for the county where the road or bridge, in reſpect of which the application made, ſhall be, of the following tenor:

*I do ſwear, that I have been principally employed in making or repairing* (as the caſe ſhall happen) *perches of the turnpike road of lying from in the county of* (or as the caſe ſhall happen) *the bridge of made on the turnpike road of in the county of being the part of the ſaid road, or the bridge on the ſaid road* (as the caſe ſhall happen) *which hath contracted, or been employed to make or repair; and that the ſaid road or bridge is well, effectually, and durably made and repaired according to the ſaid his contract, or the terms on which he was employed, which I have peruſed and read; and that I have lodged a duplicate of this affidavit with the clerk of the peace of the county of*

Duplicates of affidavit kept by peace clerks, inſpected during aſſizes and ſeſſions, or puniſhed as for neglect of duty.

Which duplicates clerks of peace of counties are required to keep and preſerve diligently amongſt records of that county, and to ſuffer them to be read and inſpected by every literate perſon, who ſhall deſire it, during aſſizes and quarter-ſeſſions, on pain of ſuch cenſure and puniſhment as publick officers neglecting duties of their office are by law ſubject to; and judges of aſſize and juſtices of peace at ſeſſions are authorized and required in caſe of neglect or failure, to order thoſe offences to be proceeded againſt accordingly.

If order or payment without affidavit,

like ſums forfeited, as ſaid penalties.

IV. *ſect.* 4. Commiſſioners of any turnpike road, who before ſuch affidavit produced, ſhall ſign or make any order for paying any money for making or repairing any turnpike-road, or any part, or any bridge upon any turnpike-road, and the treaſurer or other perſon who ſhall receive the tolls as aforeſaid, who ſhall make ſaid payments, or any of them, ſhall forfeit a ſum equal to the ſum ſo ordered to be paid; to be ſued for, recovered, levied, and diſpoſed of as the penalties aforeſaid are herein before directed to be.

Executors, &c. liable to contracts.

V. *ſect.* 5. Executors, adminiſtrators, and aſſigns of all perſons, who have had or ſhall have any debenture, mortgage, or aſſignment of the tolls, or of any part of any turnpike road, for making or repairing any turnpike-road, or any part, or any bridge on any turnpike-road, or for performing any contract relative to any turnpike-road, ſhall, as far as the value of ſuch debenture, mortgage, or aſſignment extends, be as much bound to make and repair ſuch road or bridge, and to perform every ſuch contract, as the perſons

ſons were, who firſt undertook to make or repair ſuch road or bridge, or to perform ſuch contract.

VI. *ſect.* 6. In all caſes where alledged that any turnpike-commiſſioner, or other perſon, hath miſapplied, waſted, or embezzled the tolls, or any part of any turnpike-road, or broke or not performed any agreement or contract relative thereto, the perſon ſo alledging ſhall make, or cauſe to be made, one or more affidavits, as if in a cauſe depending in chancery or exchequer between the attorney-general at the relation of the perſon ſo alledging plaintiff, and the perſon ſo complained againſt defendant, ſtating charges of ſuch miſapplication, waſting, or embezzlement, or breach or non-performance of agreement or contract, againſt the perſon complained againſt particularly; and that the relator is not prompted to the proceeding by malice or ill-will to any; and that the proceeding has not been meditated or contrived to favour or protect the defendant againſt a more adverſary or any other proceeding; and that the relator is worth two hundred pounds above all his juſt debts; or is ready and willing to give ſuch ſecurity to be anſwerable for coſts, as the court ſhall think reaſonable; and upon filing every ſuch affidavit the attorney-general is required to permit a motion to be made in his name to chancery or exchequer for an order, that the perſons complained againſt ſhall anſwer the affidavit or affidavits, and upon coming in of ſuch anſwer the court ſhall or may, according to juſtice of the caſe, either diſmiſs the complaint with coſts, or order that a bill or information ſhall be filed in name of attorney-general at relation of party complaining againſt the party complained againſt, and that they ſhall in due time anſwer; and court ſhall proceed in ſummary courſe as in poſſeſſary cauſes, and order examination of witneſſes, and hear the cauſe, and make ſuch decree, as agreeable to rules of equity and juſtice; and for that purpoſe ſhall direct all proper enquiries, and award coſts at diſcretion of the court to or againſt relator, and at any ſtage of the cauſe order relator, if the court think it juſt, to give ſecurity to anſwer coſts, if the bill or information diſmiſſed, with a reciprocal right of appeal to the parties; and if it ſhall appear, that the relator has entered into a colluſion with the perſon complained againſt, or to favour the perſon, forbear to proſecute, the court ſhall and are required to order the cauſe to be carried on by any other who ſhall lend his name, in the relator's name, entering into a reaſonable ſecurity to indemnify relator from coſts; the relator in every ſuch caſe ſhall be decreed to one fourth of the ſum recovered, and to the coſts expended in carrying on ſuit; the reſidue of the ſum recovered ſhall be applied to performance of the broken or not performed contract, or to the making or repairing the neglected road or bridge (as the caſe ſhall happen) and the court ſhall give proper and neceſſary orders for thoſe purpoſes.

On allegation of waſting or embezzling tolls, or not performing contract, affidavit as in a cauſe in chancery or exchequer by relator, ſtating charges particularly;

not thro' malice, nor to favour defendant,

relator worth 200 l. or ready to ſecure coſts,

motion in chancery or exchequer in name of attorney general to anſwer affidavit;

complaint diſmiſſed or information ordered;

heard ſummarily as poſſeſſary cauſes,

witneſſes examined,

decree as by equity;

coſts at diſcretion,

relator to give ſecurity;

appeal by either;

if colluſive, ordered to be carried on by any other,

on ſecurity for coſts,

one 4th of ſum recovered to relator and coſts;

reſidue to perform the contract, or the road or bridge.

VII. *ſect.* 7. No ſuit on this act ſhall be commenced (except in caſe of ſuch contractors as aforeſaid) for any miſapplication or embezzlement of ſuch tolls as aforeſaid, unleſs ſuch complaint made within four years after ſuch miſapplication or embezzlement; nor againſt executor or adminiſtrator of any perſon charged with ſuch miſapplication or embezzlement (except as aforeſaid) unleſs a ſuit commenced againſt the perſon, whom ſuch executors or adminiſtrators ſhall repreſent, in the life-time of ſuch perſon.

Suit for miſapplication of tolls in four years;

commenced in party's life.

VIII. *ſect.* 8. It ſhall be lawful for grand juries of counties, at ſummer aſſizes to preſent any ſum, not exceeding three pounds a year, to clerk of peace of each county, for doing duties herein required, to be levied as other county

Preſentment ſummer aſſizes not above 3l. to peace clerk for ſaid duty, if performed;

may be traverſed.

county taxes, if it ſhall appear to them, thoſe duties faithfully performed, but not otherwiſe; which preſentments may be traverſed and tried in ordinary courſe.

Account of tolls received drawn up,

IX. *ſect.* 9. Treaſurer of every turnpike-road, or other perſons receiving tolls, or any part of any turnpike-road, from collectors of thoſe tolls, ſhall on or before firſt of October 1774, draw up an account of tolls received by ſuch perſons, from the laſt account ſtated by ſuch perſons, or their predeceſſors, with the turnpike-board of that road, and ſtate fully and particularly

from laſt account, the application;

how the tolls ſo received from time of ſuch laſt account have been applied, paid, and diſpoſed of, and to whom, and ſhall ſign ſuch account in preſence

account ſigned, and witneſſed by 2,

of two or more literate perſons, who ſhall ſubſcribe the ſame as witneſſes, and ſhall depoſite the ſame with clerk of peace of thoſe counties reſpectively,

depoſited with peace clerk,

through which ſuch turnpike-road doth run, on or before the firſt of October 1774; and every ſuch treaſurer and other perſon ſhall yearly hereafter, draw

yearly,

up and lodge an account, ſuch as herein before is directed in all reſpects,

penalty 20l. per month;

with the ſame clerks of peace reſpectively, on pain of forfeiting twenty pounds for every calendar month during which ſuch perſons neglect or fail to comply with ſaid laſt mentioned duties hereby enjoined. If in ſuch accounts, or any of them, any wilful overcharge ſhall be made, or wilful error

for wilful overcharge or error, penalty double the ſum,

committed, every perſon, guilty of ſuch overcharge or error, ſhall for every ſuch offence forfeit a ſum, equal to the amount of the ſum twice told or reckoned, that the publick ſhall be attempted to be defrauded of by ſuch

as other penalties;

wilful overcharge or error; which penalties laſt ſpecified ſhall be ſued for, levied, and diſtributed in all reſpects as the other penalties herein before ſpecified; and clerks of peace are required to preſerve all ſuch accounts,

accounts preſerved by clerks, and inſpected.

and permit the ſame to be inſpected in all reſpects, as the other papers before directed to be preſerved and inſpected, are directed to be; and in this laſt particular the clerks of peace reſpectively are to be under ſame controul, as in the other inſtances before mentioned.

A publick act.

X. *ſect.* 10. This act deemed a publick act, and judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever without ſpecially pleading.

Recital 3 G. 2. c. 30.

XI. *Stat.* 13 & 14 G. 3. *cap.* 28. *ſect.* 1. Whereas an act paſſed 3 G. 3. for amending and repairing the road from Dublin to Dunleer; it ſhall be lawful for truſtees of ſaid turnpike road, or any thirty-one, in caſe they ſhall be

31 truſtees may lay out new lines eaſt of the road between 14th and 18th ſtones, 30 feet clear,

enabled thereto by the tolls, and that the ſame ſhall appear to them an improvement, and an advantage to the publick and travellers, to lay out any new line or lines to the eaſtward of the preſent road between the fourteenth and eighteenth mile ſtones, which, they may judge, will beſt anſwer the

and aſcertain the grounds and recompence,

purpoſe aforeſaid, to be thirty feet wide in the clear; and to aſcertain the grounds through which the ſame ſhall paſs, with ſuch exceptions and reſtrictions, to prevent ſuch new road from doing a real injury, and ſuch proviſoes and clauſes for ſecuring to the owners recompence proportioned to

as by 3 G. 3. c. 30.

loſs, as in ſaid act, relative to the new road or line, intended to have been made between the ſeven mile ſtone and the ſign of the car and horſe.

May ſtop up the old road.

XII. *ſect.* 2. Where they find any part of ſaid old road become uſeleſs and unneceſſary, may order ſuch part to be ſtopped up as ſoon as ſuch new road finiſhed and opened for uſe of the public, and, where the inheritance of the ground of ſuch part of ſaid old road to be ſtopped up, and of the new road to be opened, belonging to the ſame perſon, to give up ſuch part of ſaid

old

old road in lieu and exchange for the new part, with ſuch other ſatisfaction as thought reaſonable by ſaid truſtees, or any thirty-one or more.

XIII. *ſect.* 3. The ſaid act, with alterations by this act, and alſo this act ſhall continue in force forty-one years from the 1ſt of May, 1774, and from thence unto the end of the then next ſeſſion.

3 G. 2. c. 20. and this act continued 41 years, &c. from 1 May 1774.

XIV. *Stat.* 13 & 14 G. 3. *cap.* 29. *ſect.* 1. The act made in the 7 G. 2. and clauſes therein, or thereby continued, altered or amended, except what hereby altered or amended, ſhall be of full force and effect, and continue from the 25th of March, 1774, during thirty one years, and from thence to the end of the then next ſeſſion, for the intents and purpoſes in ſaid act, and the act therein recited, and herein after mentioned; any thing in ſaid former act to the contrary notwithſtanding.

7 G. 2. c. 20. except as altered, continued 31 years, &c. from 25 Mar. 1774.

XV. *ſect.* 2. The perſons named, and none other, the truſtees for putting ſaid act and this in execution; and on death or refuſing to act, by writing under their hands and ſeals, it ſhall be lawful for ſaid truſtees, or any ſeven, to elect from time to time one or more fit and able perſons to be joined, ſo as the whole number of truſtees ſhall amount to fifty, and no more.

Truſtees named; 7 may act; elect others on vacancy by death or refuſal under hand and ſeal; 50 in number.

XVI. *ſect.* 3. A meeting or board of truſtees, or any ſeven, ſhall be held the firſt Monday every month at leaſt; the firſt at ſome convenient place in Cork, of which the treaſurer or receiver ſhall give due notice; and ſaid truſtees ſhall adjourn, and afterwards meet there, or on or near the ſaid roads to be repaired, as any ſeven think convenient; and if there ſhall not appear a ſufficient number to act, and to adjourn, then and in ſuch caſe the receiver or treaſurer ſhall appoint ſaid truſtees to meet at the houſe, where the meeting was laſt appointed, or at ſome other convenient houſe on or near ſaid roads on that day fortnight, upon which ſuch laſt meeting or board was appointed; of which ſuch receiver or treaſurer is hereby required to give due notice.

Monthly board, firſt in Cork, on notice, afterwards meet there or where convenient, near the road; if not ſufficient number, treaſurer to appoint meeting.

XVII. *ſect.* 4. Said truſtees ſhall erect, or cauſe to be erected ſuch other or more gates, turnpikes, and toll houſes, and in ſuch places, upon or adjoining to ſaid roads, as they think convenient: provided that no ſuch gate, turnpike, or toll houſe be erected nearer unto Cork, than the one mile ſtone.

Erect turnpikes, not nearer than one mile to Cork.

XVIII. *ſect.* 5. Said truſtees ſhall have power to make leaſes from time to time of ſaid tolls, or any part thereof, not exceeding two years; and contract for repair of roads, or any part, for any term not exceeding two years; and all leaſes and contracts longer than two years from the time of making, ſhall be void to all intents.

May leaſe tolls and contract for repair not above 2 years; void if longer term.

XIX. *ſect.* 6. Every perſon, who ſhall contract for ſaid tolls, ſhall, at the time, perfect bonds and warrants to the treaſurer, payable quarterly, each after each, drawn, filled, or approved of by the law-agent of the board; and ſhall procure one or more ſolvent and reſponſible perſons to join as ſurety therein; if ſaid truſtees think fit to require the ſame; and upon non-payment of ſaid bonds, the ſame ſhall carry legal intereſt until paid.

Security by toll contractors; legal intereſt on non-payment.

XX. *ſect.* 7. Said truſtees, by writing under hands and ſeals ſhall at any meetings nominate and appoint a law-agent or attorney, and order the treaſurer to pay ſaid law-agent his bills of coſt, whoſe receipt a ſufficient voucher for ſaid treaſurer on his account.

Appoint a law agent, whoſe coſts paid by treaſurer.

Toll contractors not to repair;

oath by contractors for repair.

XXI. *sect.* 8. No perſon who ſhall after the twenty-fifth of March 1774, contract for, or in any wiſe concerned in contracting for the tolls, or any part, ſhall, in his own name, or name of any other, undertake, agree, or contract for repair of ſaid roads, or any part; and any perſon who ſhall contract for repairing, making, or amending any part, ſhall take an oath before ſaid truſtees, that he or they do undertake the ſame for their own uſe, and not for uſe of, or in truſt for, or for benefit of any perſon concerned in the taking or contracting for the tolls.

May ſet out lands convenient, not garden or park, walled 5 feet high, &c. and treat for recompence out of the tolls;

on refuſal or diſability, warrant to ſheriff to return a jury to inquire the value,

verdict concluſive.

XXII. *ſect.* 9. It ſhall be lawful for ſaid truſtees, to aſcertain, deſcribe, mark out, and ſet apart, any parts or proportions of the lands convenient to ſaid road, not being a garden, walled park, the wall at leaſt five feet high, orchard, yard, or meadow, planted walk, or avenue to a houſe, as they ſhall judge neceſſary for carrying in convenient lines; and are impowered to treat and agree with owners and others intereſted in ſaid ground, for ſuch recompence and ſatisfaction, out of the tolls and duties, as ſaid truſtees ſhall think reaſonable: and in caſe any perſons neglect or refuſe to treat or agree, or through any diſability, non-age, coverture, or ſpecial limitation, or other impediment, cannot or refuſe to diſpoſe of their intereſts, as ſaid truſtees think convenient for ſuch lines, ſaid truſtees are impowered to iſſue warrants to the ſheriff or ſheriffs where ſuch ground doth lie, to impannel and return, at ſuch time and place within ſaid county, as appointed by ſaid warrants, a ſufficient jury, who, upon their oaths (which oaths the ſaid truſtees are required to adminiſter) ſhall enquire into the true and real value of ſuch ground; and ſuch verdicts and inquiſitions, aſcertaining the value of ſuch ground ſhall be final and concluſive as well to ſaid truſtees as to the owners, notwithſtanding any diſability or incapacity; and ſaid ground from thenceforth deemed a part of the highway or road to all intents.

Treaſurer may ſue debtors;

money recovered veſted in truſtees,

charged on the eſtates;

ſaving right of purchaſers, &c. *bona fide*, without notice.

XXIII. *ſect.* 10. And whereas Hugh Norcott, deceaſed, James and William Norcott, and ſeveral other perſons, have contracted debts with, and they or their repreſentatives ſtill remain indebted to the truſtees appointed by 5 & 7 G. 2. or ſome of them, or their treaſurer, and have executed bonds and warrants to confeſs judgments thereon, or paſſed other ſecurities or vouchers, or remain ſtill indebted by book account or otherwiſe to ſaid treaſurer, or for or on account of ſaid roads; the ſaid treaſurer or ſuch other perſon as ſhall from time to time be appointed in his ſtead, ſhall have full power and authority, and required to aſk, ſue for, recover and receive from ſaid perſons ſo indebted, their heirs, executors, adminiſtrators, or aſſigns, all, and every of ſaid debts, dues, and demands, in his own name, or names of perſons to whom payable, and to iſſue proceſs or execution thereon forth of any court of law or equity in his own name, or perſons to whom payable; and all ſums ſo recovered, ſhall be veſted in, and to uſe of the truſtees, for the like purpoſes, truſts, and uſes, as any other ſums received by virtue of, or under this or ſaid acts; and until ſaid ſums received and recovered, the ſame ſhall ſtand as a charge upon the real and perſonal eſtate of the perſons reſpectively, who contracted ſaid debts, into whoſe hands ſoever the ſame ſhall come; ſaving the right of purchaſers of the ſame, or who have obtained judgments or mortgages from or againſt ſaid perſons, or any of them, before the 25th of March 1774, *bona fide*, and for full and valuable conſideration, without notice of ſaid debts.

XXIV. *ſect.*

XXIV. *ſect.* 11. Said truſtees, or any ſeven or more, ſhall give notice in writing to tenants, or owners of ground where incroachments made, to remove the ſame and enlarge ſaid road to its former width, at their own expence; and in caſe ſuch tenant or owners ſhall not remove and enlarge, before next monthly meeting or board, ſaid truſtees, or ſeven or more, ſhall and are required to cauſe ſaid incroachment to be removed, and the road enlarged, and to levy expences and coſts thereof upon goods and chattles of ſaid tenant or owners, as any ſum may be levied by this or ſaid former acts.

Notice by 7 truſtees, to remove incroachments;

or done by truſtees,

and coſts levied.

XXV. *ſect.* 12. All ſuch perſons, as undertake, agree, or contract for repairing, making, or amending ſaid roads, or any part, ſhall deliver to ſaid truſtees, or ſeven or more, at monthly board or meeting, a clear, full, and true account of all ſuch ſums, as they have expended in altering, amending, or making ſaid roads, deſcribing the parts altered, made, or amended, and manner in which done; which accounts they ſhall, if required, verify by affidavit, which ſaid truſtees, or ſeven or more, are impowered to adminiſter.

Account of expences on affidavit.

XXVI. *ſect.* 13. Any number of truſtees not leſs than ſeven, deemed ſufficient to perform any act or deed, directed by, or mentioned in ſaid acts of 5 & 7 G. 2. as fully, as if the number of ſeven had been therein reſpectively mentioned; any thing in ſaid acts, or either to the contrary notwithſtanding.

7 truſtees ſufficient,

XXVII. *ſect.* 14. Said treaſurer ſhall out of ſuch money as in his hands, firſt pay and diſcharge the expence of procuring this act of parliament; and if any ſuit againſt any perſons for any thing in purſuance of this act, the action ſhall be laid in counties of Cork, and city, and not elſewhere; and defendants may plead the general iſſue; or, if in replevin, avow, that he or they acted by this act, and may give this act and the ſpecial matter in evidence at any trial thereupon, and that the ſame was done by this act; and if ſo done, or ſuch actions brought in any other county, the jury ſhall find for defendants or avowants; and upon ſuch verdict, or if the plaintiff nonſuited or diſcontinue after defendants appeared; or, if on any demurrer judgment againſt plaintiff, defendants ſhall recover treble coſts, and have like remedy as any defendants have in any other caſes by law.

Expence of this act firſt paid;

ſuits laid in ſaid counties;

general iſſue, &c.

treble coſts to defendants.

XXVIII. *ſect.* 15. This act deemed a publick act, and judicially taken notice of ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading.

A publick act.

XXIX. *ſect.* 16. Whereas it has been found difficult to collect a board of truſtees, appointed by an act 13 G. 2. where any greater number of truſtees than five is requiſite to do, eſtabliſh, or confirm any act or deed, under ſaid act, it ſhall be lawful for any ſeven of the truſtees therein named, or appointed, or to be appointed, whether reſidents of the county of Tipperary or not, to perform any act by, or mentioned in ſaid act, as fully and effectually, as if ſeven had been therein mentioned, any thing in ſaid act to the contrary notwithſtanding.

13 G. 2. c. 15.

7 truſtees may act, where more than 5 required thereby, reſident or not.

XXX. *ſect.* 17. Whereas the turnpike road between Kilkenny and Callan is much out of repair, and it would tend to the improvement, if additional truſtees appointed; the perſons following appointed truſtees, in addition to thoſe already appointed for ſaid road.

Additional truſtees between Kilkenny and Callan.

XXXI. *ſect.* 18. The turnpike boards for ſuperintending the buſineſs of ſaid laſt mentioned road, held alternately at Kilkenny and Clonmell, whenever ſuch meeting appointed.

Alternate boards.

XXXII. *Stat.* 13 & 14 *Geo.* 3. *cap.* 30. *ſect.* 1. Whereas the expence of amending the road from Dundalk to Dunleer, has been paid for many years by the landholders and inhabitants, and it is reaſonable, that all perſons, who travel ſhould contribute to the repair; any ſeven or more of them, who are hereby nominated and appointed truſtees of ſaid road, to authorize ſuch perſons as they appoint, to erect one gate or turnpike upon any part of ſaid road, between the white houſe of Lurgan Green and the road from Lurgan Green to Ardee, through the commons of Drumiſkin, by the lands of Whiterath, and from thence to the great road from Ardee to Dundalk, and alſo a toll-houſe, and there to demand and take the tolls following, before any horſe, mare, gelding, mule, cattle, coach, berlin, chariot, calaſh, chaiſe, chair, waggon, cart, car, or other carriage, permitted to paſs; for every coach, berlin, chariot, calaſh, chaiſe, or chair, drawn by ſix horſes, or more, two ſhillings and ſix pence; drawn by four horſes, one ſhilling and ſix pence; by two horſes, one ſhilling; for every carriage called a chair, or chaiſe with one horſe, mare, or gelding, ſix pence; for every waggon, wain, cart, or carriage with four wheels, the breadth thereof being not leſs than ſix inches at the ſole, and the ſtraiks ſet on with flat or roſe-headed nails, and the fore-axle tree of ſuch carriage being ſo much ſhorter than the hind axle-tree, that the wheels of ſuch carriage ſhall roll at leaſt ten inches in breadth on each ſide, and the wheels placed at ſuch diſtance, that the ſpace from the middle of the one track made by ſuch wheels, and the middle of the other ſhall be from four feet ten inches to five feet, drawn by three or more horſes, three pence; for every waggon, wain, cart or carriage with two wheels, the breadth thereof not leſs than ſix inches at the ſole, and the ſtraiks ſet on with flat or roſe-headed nails, two pence; for every waggon or wain with four wheels, narrower than ſix inches, ten ſhillings; for every waggon or wain with two wheels, narrower than ſix inches, having two or more horſes, five ſhillings; for every car or cart, having but one horſe, mare, gelding, or mule, the breadth of the wheels thereof being three inches at the ſole, and the ſtraiks thereof ſet on with flat or roſe-headed nails, one penny half-penny; for every car or cart, having but one horſe, mare, gelding, or mule, the breadth of the wheels thereof being four inches at the ſole, and the ſtraiks thereof ſet on with flat or roſe-headed nails, one penny; for every car or cart with wheels narrower than three inches, one ſhilling; for every horſe, mare, gelding, mule, or aſs, laden or unladen, and not drawing, one penny; for every drove of oxen or neat cattle, one ſhilling and eight pence by the ſcore, and ſo in proportion; for every drove of calves, hogs, ſheep, or lambs, ten pence by the ſcore, and ſo in proportion; and for every horſe, mare, gelding, mule, cattle, coach, berlin, chariot, calaſh, chaiſe, chair, waggon, wain, cart, car, or other carriage travelling on Sundays, from ſun-riſe to ſun-ſet, double the aforeſaid tolls; which ſaid ſums ſhall be demanded and taken in the name of, or as a toll or duty; and the money ſo raiſed ſhall be veſted in ſaid truſtees; and paid, applied, diſpoſed of, and aſſigned to and for the ſeveral uſes, intents, and purpoſes, and in ſuch manner as is herein after mentioned and directed; and ſaid truſtees, or any ſeven or more, are impowered by themſelves, or any perſons by them, under hands and ſeals authorized, to levy the toll or duty required to be paid, upon any perſons who ſhall after demand neglect or refuſe to pay, by diſtreſs of any horſes, cattle, or goods upon which ſuch toll or duty is by this

Truſtees named, 7 to erect turnpike, and take toll.

The toll.

this act impoſed, or upon any other goods and chattles of ſuch perſons who ought to pay, and may detain and keep the ſame until ſuch toll or duty, with reaſonable charge of diſtraining or keeping paid; and it ſhall be lawful for ſuch perſons ſo diſtraining, after four days after ſuch diſtreſs, to ſell the goods ſo diſtrained, returning the overplus, if any be, upon demand, to the owner, after ſuch toll, duty, and reaſonable charges for diſtraining and keeping deducted and paid.

XXXIII. *ſect.* 2. Out of the firſt money from the profits of ſaid turnpike, ſaid truſtees, or any ſeven or more, ſhall firſt pay and diſcharge expence of procuring this act, and of erecting ſuch turnpike or toll-houſe; and then the profits ariſing, and the toll collected at ſaid turnpike, ſhall be applied towards amending ſaid road. Expences firſt paid, then applied to the road.

XXXIV. *ſect.* 3. If any perſons owing, renting, or occupying any land near ſaid turnpike, ſhall for gain, reward, or otherwiſe permit any perſon whatſoever to paſs through ſuch land with any coach, berlin, chariot, calaſh, chaiſe, or chair, waggon, wain, cart, car, or other carriage, or riding, or driving any horſe, aſs, or mule, or any ſort of cattle, to avoid payment of the toll, and being thereof convicted upon oath before ſaid truſtees, or any ſeven or more, or any one or more juſtices for ſaid county of Louth, ſhall forfeit and pay to the truſtees ten ſhillings; levied by diſtreſs and ſale of offenders goods by warrant under hand and ſeal of ſaid truſtees, or any ſeven or more, or ſuch juſtices, rendering the overplus to owner the charges in taking and diſpoſing of ſaid goods firſt deducted. Permitting paſſage to avoid toll, 10s.

XXXV. *ſect.* 4. Said truſtees, or any twelve or more, at their firſt or any ſucceeding meeting, by writing under hands and ſeals, ſhall and may elect, nominate, and appoint one fit perſon to be treaſurer, and one to be collector of ſuch money, in name of ſuch toll or duty, as due and payable by this act, and alſo one or more overſeers to amend ſaid road, and to remove ſuch treaſurer or collector as they ſee occaſion, and appoint a new one in caſe of death or removal; and ſuch perſons as by this act liable to pay ſaid toll or duty, are required to pay the ſame, after the rates aforeſaid to ſaid collector; and ſuch treaſurer or collector ſhall, upon oath, if required by truſtees, or any ſeven or more, or before one or more juſtices reſiding near the road aforeſaid (which oath ſuch truſtees, or any three or more of them, or ſuch juſtices are hereby empowered and required to adminiſter) on the firſt Tueſday in every month, or oftener if required, during this act, give in a true, exact, and perfect account in writing, under their hands, of all monies they, and every or any of them, ſhall to ſuch time have received, paid, and diſburſed by this act, for which oath no fee or reward taken; and in caſe any money ſo received remain in any of their hands, the ſame ſhall be paid to ſaid truſtees, or any ſeven or more, or to ſuch perſons as ſaid truſtees, or any ſeven or more (as qualified to act) ſhall, by any writings under hands and ſeals, empower to receive; and ſaid truſtees, or any ſeven or more, to whom ſuch account given, ſhall, out of the money ariſing by the toll or duty, make ſuch allowance unto ſaid treaſurer or collector, overſeers, in conſideration of care and pains, as to them ſhall ſeem meet; ſo as ſuch allowance to ſuch treaſurer do not annually exceed in the whole twenty pounds, and to ſuch collector fifteen pounds, and to ſuch overſeers not exceeding one ſhilling for each pound ſuch overſeer or overſeers ſhall expend in amending ſuch road. 12 may appoint treaſurer, &c. monthly accounts in writing on oath; allowance to treaſurer 20l. a year. collector 15 l. overſeer 1s. per l.

XXXVI. *ſect.* 5. It ſhall be lawful for ſaid overſeers, and ſuch perſons as they ſhall appoint, to dig, raiſe, gather, take, and carry away any gravel, Overſeers may raiſe materials,

vel, ſand, ſtones, or other materials, out of the ſeveral grounds of any perſons, not being an orchard, yard, planted walk or walks, lawn, or avenue to the manſion-houſe of any perſon where any ſuch materials are or may be found, and from time to time to take and carry away ſuch and ſo much as ſaid overſeers in their reſpective places judge neceſſary for amending ſaid road, paying ſuch rates to owner or occupier as ſaid truſtees, or any ſeven, adjudge reaſonable; and in caſe of any difference touching the damage, the juſtices at next general quarter-ſeſſions, may and ſhall adjudge, aſſeſs, and finally determine the ſame.

giving ſatisfaction.

Annoyances removed.

XXXVII. *ſect.* 6. It ſhall be lawful for the overſeers, and ſuch perſons as they appoint, from time to time, to remove and prevent annoyances on any part of ſaid road, or within twenty-five feet of the center, by filth, dung, aſhes, rubbiſh, water-courſes, ſinks, or drains running into ſaid road, and to cleanſe any ditch or water-courſe adjoining, or which may be neceſſary to carry off the water therefrom, and to cut down, lop, or top any trees growing within twenty-five feet of the center, which are nearer to each other than fifteen feet, or any buſhes growing in ſaid roads, or in the hedges adjacent, at a height not exceeding five feet, the owners or occupiers neglecting to cut down ſuch trees or buſhes, or to remove ſuch annoyances for ten days after notice in writing, under hands of ſeven truſtees, the charges whereof reimburſed by ſuch owners or occupiers neglecting to cut down, or to remove ſuch annoyances; and if, after removal of any ſuch annoyances, any perſons again offend in like kind, every ſuch perſon being thereof convicted upon oath before one or more juſtices of peace for ſaid county, ſhall, for every offence, forfeit and pay unto ſaid truſtees ten ſhillings, to be levied in manner aforeſaid.

Drains made, &c.

XXXVIII. *ſect.* 7. It ſhall be lawful for ſaid overſeers, by order of ſaid truſtees, or any ſeven or more, to cut and make drains through any grounds contiguous to ſaid road, and erect arches of brick or ſtone thereupon, and alſo to widen any of the narrow parts to any breadth not exceeding forty-two feet in the clear, by opening, clearing, and laying into ſaid road any ground of any perſon contiguous, not being orchard, yard, planted walk, or avenue to the manſion-houſe of any perſon, and alſo to cauſe ditches or trenches to be made in ſuch places, and in ſuch manner, as ſuch overſeers, by order of ſaid truſtees, or any ſeven or more, adjudge neceſſary for amending ſaid road, making ſuch reaſonable ſatisfaction for the damages as aſſeſſed and judged at next quarter-ſeſſions for ſaid county of Louth in caſe of any difference; and if any owner or occupier of any water-courſes, or ditches adjoining, neglect or refuſe to ſcour or clean, and to make ſuch ditches ſo deep, and in ſuch manner, as ſurveyors adjudge proper and convenient, after eight days notice by ſuch overſeers, to ſuch owners or occupiers, it ſhall be lawful for the overſeers to ſet any men to work, to ſcour, or cleanſe, and make the ſame, and by warrant from any ſeven or more truſtees, to levy the charge upon the perſons goods, or eſtate of the owners, or occupiers of ſuch water-courſes, or ditches, by diſtreſs and ſale of goods and chattles, rendering the overplus (if any) to ſaid owner or occupier, after all charges.

ſatisfaction for damage.

Toll on'y once a day.

XXXIX. *ſect.* 8. No perſons having occaſion to paſs through the gate where toll or duty taken, and who ſhall return the ſame day upon or with the ſame horſe, mare, or gelding, aſs, mule, cattle, coach, chariot, berlin, chaiſe, chair, calaſh, waggon, cart, car, or other carriage, except carts and cars with wheels narrower than three inches, ſhall be liable or compellable the ſame day to pay the ſame toll or duty more than once.

XL. *ſect.*

XL. *ſect.* 9. If any perſons having paid the toll or duty, and having ſuch note or ticket, ſhall give or diſpoſe of the ſame to any perſon, to avoid payment of ſaid toll or duty, every ſuch perſon giving, diſpoſing, or offering, and the perſon receiving ſuch note or ticket, and being thereof convicted upon oath, before ſaid truſtees, or any ſeven or more, or one or more juſtices for ſaid county, ſhall reſpectively forfeit and pay ten ſhillings; to be levied, recovered, and diſpoſed of as any other penalty or forfeiture is directed by this act. Giving tickets to avoid toll, 10s.

XLI. *ſect.* 10. Said truſtees, or any ſeven, may, as they ſee convenient, compound or agree by the year or otherwiſe, with any perſon uſing to travel through ſaid turnpike, for any ſum paid quarterly, from time to time, after ſuch agreement made. 7 truſtees may compound.

XLII. *ſect.* 11. No perſon ſhall be charged with any of the tolls or duties aforeſaid, who ſhall paſs through ſaid turnpike, who ſhall carry any quantity of ſtones, gravel, or other materials for repairing the ſaid road, or any of the roads in the ſaid county; nor ſhall any perſon be chargeable with ſaid toll or duty, going to, or returning from any of the fairs or markets of Lurgan Green; or for any carts or cars, with ſix, three, or four inch wheels, loaded with corn in the ſtraw, flax, or hay only, or with turf only, in May, June, July, or Auguſt, or with corn, flour, meal, or potatoes, paſſing through ſuch gate towards Dundalk, or returning empty the ſame day, or with coals or cockles, limeſtone, or with dung, or other manures only; nor ſhall any toll or duty be demanded or taken at ſaid turnpike to be erected, for any horſe, mare, gelding, aſs, or mule, or other cattle going to water, or for any poſt horſe carrying the male or packet; nor ſhall any toll or duty be demanded or taken for horſes of ſoldiers paſſing upon their march, or for waggons, carts, or cars, or other carriages attending them; or for horſes, waggons, carts, cars, or other carriages travelling with vagrants ſent by paſſes; or with priſoners tranſmitted from one part of the kingdom to another. Perſons exempted.

XLIII. *ſect.* 12. The toll or duty hereby granted ſhall take place and have continuance from the firſt of June 1774, for forty-one years. Continuance 41 years.

XLIV. *ſect.* 13. For continuing a ſufficient number of fit perſons truſtees, it ſhall be lawful for ſaid truſtees, or any twelve or more, upon death or reſignation of any of the truſtees in this act, or of any perſon hereafter elected, from time to time, hereafter during the term aforeſaid, to elect, nominate, and appoint, in the room of ſuch truſtees, ſo many more fit perſons living in ſaid county of Louth, to be joined with ſaid truſtees, in the execution of all powers by this act; and all and every perſon and perſons ſo choſen truſtees, to join in putting this act in execution as they are herein before qualified to do, ſhall and may act to all intents and purpoſes, in as full, and ample manner, as ſaid truſtees are by this act impowered to do, and ſo *toties quoties*. Other truſtees to be appointed.

XLV. *ſect.* 14. Said truſtees, or any twelve or more, ſhall meet at Dundalk the firſt Monday in June next, in the ſeſſion houſe; and ſhall afterwards meet there, or any other place near ſaid road, that ſaid truſtees, or any ſeven or more ſhall think proper and convenient, as often as neceſſary for putting this act in execution, except where a greater number expreſſly required by this act; and ſaid truſtees, or any ſeven or more ſhall meet at Dundalk on the firſt day of every ſpring and ſummer aſſizes every year, for granting money to amend ſaid road, and for the doing any other neceſſary buſineſs; and no money ſhall be granted at any board for amending ſaid road, unleſs it appear Meeting of truſtees.

appear by affidavit of two credible perſons, who can read and write, that ſuch ſum is neceſſary to repair or make ſo many perches of ſuch road, at ſo much by the perch, and that a ſmaller ſum will not be ſufficient to repair or make the ſame; and no money ſhall be paid by the treaſurer to any overſeer, unleſs the ſaid overſeer maketh oath before a board, that ſaid ſum hath been faithfully and honeſtly expended in amending or making ſo many perches of ſaid road, and for his wages, at not more than twelve pence for each pound ſo expended; and that he did attend ſaid work diligently and carefully, and ſhall produce to ſaid board an account of the number of men, horſes, and cars, employed each day; and ſwear to ſaid account; and then, and not ſooner, ſaid board ſhall give order to ſuch overſeer on treaſurer, for payment of ſaid account; and if there ſhall not appear at meeting a ſufficient number of truſtees to act, and to adjourn, the treaſurer by notice in writing affixed on ſaid turnpike at leaſt twenty-one days before next meeting, ſhall appoint ſaid truſtees to meet at the houſe where the meeting laſt appointed, or ſome other convenient houſe near ſaid road; and ſaid truſtees, at firſt and other ſubſequent meetings, ſhall defray their own charges and expences.

Power to ſhorten the road.

XLVI. *ſect.* 15. It ſhall be lawful for ſaid truſtees, or any ſeven or more, to ſhorten or make more convenient, ſaid road, by laying it out, and making it in ſuch direction as they think proper, between Caſtle-bellingham and the white houſe at Lurgan-green, by and with conſent of the ſeveral proprietors of the land through which ſuch new road ſhall be laid out, and not otherwiſe; and whenever ſuch new road ſhall be laid out, the ſame ſhall be made, and from time to time repaired, by the tolls by this act, and ſhall be thenceforth a part of ſaid turnpike road, ſubject to all the rules, proviſoes, and regulations to which the preſent road is by this act ſubject, and ſo much of the preſent road as ſhall be continued between the point where the ſaid new road ſhall begin, and the point where it ſhall end, ſhall from thenceforth ceaſe to be a part of ſaid turnpike road, or to be ſubject to any of the powers or regulations herein enacted, but ſhall be and ever continue to all intents and purpoſes, as if this preſent act never made.

No place of profit to truſtees.

XLVII. *ſect.* 16. No perſons appointed truſtees for putting this act in execution, ſhall have, or accept of any place of profit, ariſing out of, or by reaſon of the toll or duty by this act granted, but ſuch perſons ſhall be incapable, from the time of accepting, and continuing to enjoy ſuch place of profit, of acting as a truſtee.

Actions in Louth;

General iſſue, &c.

XLVIII. *ſect.* 17. If any ſuit commenced againſt any perſons, for any thing done in purſuance, the action ſhall be laid in county of Louth, and not elſewhere: and defendants may plead the general iſſue, and give this act and ſpecial matter in evidence at any trial, and that the ſame was done in purſuance and by authority of this act, and if it appear ſo, or that ſuch actions brought in any other county, the jury ſhall find for defendants, and upon ſuch verdict, or if plaintiff nonſuited, or diſcontinue after defendants appeared, or if on any demurrer judgment againſt plaintiff, defendants ſhall recover treble coſts, and have like remedy, as any defendant hath in any other caſes by law.

treble coſts to defendants.

A publick act.

XLIX. *ſect.* 18. This act deemed a publick act, and judicially taken notice of as ſuch, by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading.

XLIX. *ſect.*

L. *Stat.* 13 & 14 *G.* 3. *cap.* 81. *ſect.* 1. The tolls or duties of the road, by the recited act granted, ſhall take place, and have continuance from the 1ſt of May 1774, for and during 81 years. Tolls and duties by 7 G. 3. c. 11. continued 81 years from 1 May 1774.

LI. *ſect.* 2. Within a month after commencement of this act the truſtees ſhall cauſe an advertiſement to be publiſhed in the Munſter Journal, printed in Limerick, in which a day ſhall be appointed for a general meeting of truſtees, not leſs than fifteen days after ſuch publication, in Liſtowell; and in ſuch advertiſement it ſhall be declared, that the chief purpoſe of ſuch meeting ſhall be to receive propoſals from ſuch perſons as are willing to contract for making and repairing ſaid road, and keeping the ſame in good repair during the continuance of ſuch contract, in conſideration of having ſaid tolls and duties aſſigned and ſecured to ſuch perſons during continuance of the term, for which the tolls ſhall be granted by this act, or for ſuch part thereof as ſhall be agreed upon. Advertiſement to meet to contract.

LII. *ſect.* 3. It ſhall be lawful for ſuch truſtees ſo aſſembled, or any number not leſs than fifteen, by writing under hands and ſeals, to farm and ſet ſaid tolls at ſuch annual rent as offered, to the higheſt and faireſt bidder, or to convey and aſſign for ſuch of the term for which the act ſhall have continuance, to ſuch perſons as ſhall oblige themſelves to make and repair ſaid road, and keep in compleat repair during ſaid term, and ſhall give ſufficient ſecurity for performance, ſubject to ſuch reſervations, clauſes, reſtrictions, and agreements, as ſaid truſtees think fit. 15 truſtees may farm tolls.

LIII. *ſect.* 4. The preſent creditors, or two thirds in number and in the value of their debts, or perſons duly authorized under hands and ſeals of ſuch creditors, or two thirds, ſhall be actually preſent at ſuch meeting, and conſenting to ſuch agreement. Two thirds of creditors preſent.

LIV. *ſect.* 5. If by non-attendance of a ſufficient number of ſuch truſtees, creditors, or perſons authorized by them, or by any other fatality or chance, the truſtees not able to make ſuch agreement, they ſhall cauſe another advertiſement to be publiſhed in Munſter Journal as aforeſaid, appointing another meeting at Liſtowell, not leſs than fifteen days after ſuch advertiſement, and declaring the cauſes which rendered the former meeting ineffectual, and that the meeting then advertiſed ſhall be for ſame purpoſes as the former, and ſo from time to time, till ſaid truſtees can have an effectual meeting for the purpoſes aforeſaid; and ſaid truſtees, at ſuch ſecond or any ſubſequent meeting, ſhall have power to act, as they might at the former. Adverriſe further meeting.

LV. *ſect.* 6. It ſhall be lawful for ſaid truſtees, or any number not leſs than twenty-one, at a meeting on a day appointed by advertiſement, as aforeſaid, at Liſtowell, to execute an inſtrument in writing, under hands and ſeals, declaring their having uſed their beſt endeavours to raiſe money for making and repairing ſaid road, and to carry the purpoſes of this act into execution, and that all their endeavours had proved ineffectual, and that from thenceforth they will not levy, any tolls upon any part of ſaid road, nor erect any turnpike-gate upon ſaid road, or any part. 21 Truſtees at meeting may execute a deed not to levy or erect turnpike.

LVI. *ſect.* 7. Provided the perſons who have advanced, or ſhall advance money for ſaid road, or two thirds in number and value of the ſums advanced, or ſuch perſons as ſhall be by them, or two thirds, duly authorized under their hands and ſeals, ſhall be preſent at execution of ſuch writing, and conſenting. Two thirds of creditors preſent.

Depoſited with clerk of peace;

LVII. *ſect.* 8. One part of ſaid deed ſhall be depoſited with clerk of peace of the county of Limerick, and another with the clerk of county of Kerry, and ſhall be kept among the records, and from the time ſaid inſtruments ſo depoſited, no gate ſhall ever after be erected, or tolls levied on ſaid road, or any part, by this, or ſaid former act, but ſaid road ſhall be conſtrued thenceforward as a publick road, to be made by preſentments of grand juries, as if this act and ſaid act never made.

no gate or toll afterwards.

Additional truſtees.

LVIII. *ſect.* 9. The truſtees, in conjunction with thoſe that are now truſtees for carrying this act into execution, with the ſame powers as veſted in the former.

7 G. 3. c. 11. in force, except as altered.

LIX. *ſect.* 10. The ſaid act, and all powers and authorities, articles, rules, penalties, and clauſes therein, except ſo much as hereby altered, ſhall be of full force and effect, and ſhall continue to be executed during ſaid term of eighty-one years, ſubject to the alterations by this act, as if the ſame were herein repeated; any thing in this, or ſaid former act, to the contrary notwithſtanding.

A publick act.

LX. *ſect.* 11. This act deemed a publick act, and judicially taken notice of as ſuch by all judges, juſtices, and every other perſon whatſoever, without ſpecially pleading.

5 G. 3. c. 14. repealed, except the repealing clauſe, and what relates to county of Dublin.

LXI. *Stat.* 13 & 14 *Geo.* 3. *cap.* 32. *ſect.* 1. After the 24th of June 1774, an act fifth of his preſent majeſty, intituled, *an act for the more effectually amending the publick roads*; and every clauſe therein (except the clauſe for repealing ſeveral acts) and except ſuch part as relate to county of Dublin, ſhall be repealed, and made null and void.

After 24 June 1774, grand-juries at any aſſizes may preſent for repair of publick roads; widening not above 38, nor under 21 feet clear.

LXII. *ſect.* 2. After the 24th of June 1774, it ſhall be lawful for the grand-jury of any county at any aſſizes, to preſent any publick road in ſuch county, or any part thereof, to be repaired, or any part of any publick road, which is not of the breadth of twenty-one feet in the clear, to be widened to any breadth, not exceeding thirty-one feet, nor leſs than twenty-one feet in the clear; and alſo to preſent any new road, to be laid out and made from market-town to market-town, or from any market-town to the ſea, through any part of ſuch county, except through deer-park, or any field encloſed with a wall five feet high at leaſt, with lime and ſtones, or bricks, or through the houſe, offices, gardens, or orchards of ſix years growth, of any perſon who inhabits a houſe built with lime and ſtones, or bricks; and to appoint one or more perſons, who can read and write, to overſee and carry into execution every ſuch preſentment; and further to preſent all ſuch ſums as ſhall appear neceſſary to be raiſed upon any barony or half-barony, for which a high-conſtable has been uſually appointed in ſuch county, to be expended in repairing, widening, or making any publick road in ſuch barony or half-barony as aforeſaid; (which half-barony ſhall be conſidered and charged as a barony) and in paying wages to the overſeer appointed as aforeſaid, after a rate not exceeding one ſhilling in the pound for each pound preſented, to be expended by ſuch overſeer.

Overſeers.

half-barony charged as a barony, overſeer's wages, not above 1s.

LXIII. *ſect.* 3. No ſum ſhall be ſo preſented for repairing any road, unleſs an affidavit, ſworn by two credible perſons who can read and write, before one of the judges of aſſize, or any two juſtices for ſuch county, in the following form, be firſt laid before the grand jury.

*County*

*County of* } *of and* Affidavit for repair.
*of do ſwear, that they have lately meaſured*
*perches of the road from to between and*
*all in the barony or half-barony of in this county, and that it*
*will require the ſum of effectually to repair the ſaid*
*perches with gravel or ſmall ſtones, being at the rate of by the perch,*
*which they verily believe is the leaſt the ſaid perches can be effectually*
*repaired for.*

LXIV. *ſect.* 4. And no part of ſaid money ſo preſented ſhall be paid on any preſentment for repair of any road by the treaſurer of any county, until the affidavit of one of the overſeers, who can read and write, appointed by the grand jury, ſworn before one of the judges of aſſize, in following form, allowed by grand jury and judge of aſſize.

*County of* } *Whereas the ſum of was preſented at aſſizes,* Overſeer's affidavit before a judge.
*in the year for ſaid county, to be expended in repairing*
*perches of the road from to between*
*and in the barony (or half-barony) of at the rate of by the*
*perch, and the ſum of for overſeer's wages, at pence for*
*each pound. Now I of do ſwear, that I have*
*expended, faithfully and honeſtly, the ſum of in repairing effectually*
*with gravel or ſmall ſtones perches of the ſaid road, which ſum, with my*
*wages, at pence for each pound, makes in the whole the ſum of*
*and that every part of ſaid perches is twenty-one feet wide in the*
*clear, within the ditches, drains, or fences, and is fourteen feet wide, with gravel*
*or ſmall ſtones.*

Except where the road preſented is encloſed on both ſides with walls built with lime and ſtones, or bricks, and is not twenty-one feet wide between the ſame; in which caſe, inſtead of the words, [*twenty-one feet wide in the clear, within the ditches, drains, or fences*] ſhall be inſerted theſe words, [*encloſed* wherein incloſed with five foot walls.
*on both ſides with walls built with lime and ſtones, or bricks, five feet high.*]

LXV. *ſect.* 5. And no money ſhall be ſo preſented for widening any publick road, unleſs an affidavit, ſworn by two credible perſons who can read and write, before one of the judges of aſſize, or two juſtices for ſuch county in form following, be firſt laid before grand jury.

*County of* } *of and of*
*do ſwear, that they have lately meaſured perches of the* Affidavit for widening old roads.
*road from to between and all*
*in the barony (or half-barony) of in the ſaid county, and that no part*
*of ſaid perches is twenty-one feet wide in the clear of ditches, drains,*
*or fences, or encloſed on both ſides with walls built with lime and ſtones, or bricks,*
*five feet high, and that it will require the ſum of to widen the ſaid*
*perches to the breadth of in the clear, and to make fences inſtead*
*of thoſe which ſhall be taken down or deſtroyed in order to widen the ſame, be-*
*ing at the rate of by the perch; and that the ſaid ſum is a reaſon-*
*able charge, and is the leaſt, they verily believe, that ſaid work can be effectually*
*done for.*

And no money ſhall be paid by treaſurer of any county on account of ſuch preſentment, unleſs an affidavit of one of the overſeers, ſworn before the judge of aſſize in form following, allowed by grand jury and judge of aſſize.

Overſeer's affidavit.

*County of* } *Whereas the ſum of was preſented by the grand jury of ſaid county at aſſizes, in the year to be expended in widening perches of the road from to between and all in the barony or half-barony of in ſaid county, and the ſum of for overſeers wages, at pence for each pound. Now I of do ſwear, that I have faithfully and honeſtly expended the ſum of in widening perches of ſaid road; which ſum, with my wages at pence for each pound, makes in the whole the ſum of and that every part thereof is now feet wide in the clear, of ditches, drains, or fences, and that new fences are made inſtead of thoſe that have been taken down or deſtroyed, in order to widen the ſame.*

Boundary road;

LXVI. *ſect.* 6. If any part of any publick road be the boundary between any two baronies in ſuch county, or any barony or half-barony in ſuch county, and a barony or half-barony in any adjoining county, ſo as that one ſide of ſuch road is in one barony or half-barony, and the other ſide in another, it ſhall not be lawful for any grand jury to preſent more than half the ſum, neceſſary for repairing or widening ſuch road, and half the overſeers wages, to be raiſed on either of the baronies or half-baronies between which ſuch part of ſaid road is the boundary; and in the affidavit to be made before the money can be preſented for repairing or widening ſuch road, and alſo by the overſeer before ſaid money can be paid, inſtead of the words [*all in the barony of* ] ſhall be inſerted theſe words [*which ſaid perches are the mearing between the baronies of and in ſaid county, or between the barony (or half-barony of) in the ſaid county, and the barony of in the county of* ] as the caſe ſhall happen; and no money ſhall be paid by the treaſurer of any county on account of ſuch preſentment, unleſs it alſo appear to the judge of aſſize, and grand-jury, that an equal ſum hath been preſented to be raiſed for ſaid work on the adjoining barony.

equal preſentment on adjoining boundary.

Grand juries at aſſizes may preſent money for new roads from market to market, or the ſea;

fences not above 1s. per perch; 1s. per £.

LXVII. *ſect.* 7. It ſhall be lawful for grand jury of any county, at any aſſizes, to preſent ſuch ſums as appear to them neceſſary, to lay out and make any new road through ſuch county, or any part thereof, from market town to market town, or from any market town directly to the ſea, or to make fences thereto, not exceeding one ſhilling for each perch of ſuch fence, to be raiſed either upon ſuch county, and expended in laying out and making ſuch new road, or in making fences and paying wages to overſeers, after a rate not exceeding one ſhilling in the pound for each pound preſented, to be expended by ſuch overſeer, or upon any barony in ſuch county, and expended in laying out and making any part of ſuch new road or fences within ſuch barony, and in paying wages to overſeer after rate aforeſaid.

Perſon requeſting named in preſentment for new road;

LXVIII. *ſect.* 8. In every preſentment for laying out any new road the name of perſon requeſting the ſame inſerted; and no ſuch preſentment ſhall be made, unleſs it ſhall firſt appear by affidavit ſworn before any two juſtices for ſuch county, that a map of ſuch new road has been depoſited with the treaſurer

treasurer twenty-one days at least before first day of such assizes, to be inspected by all persons whom it may concern, (which map is to be kept by clerk of the crown among records of the county) and that either of the several owners or occupiers of the lands, through which such new road is to be made, have consented thereto, or else that no part of such intended new road is to be made through the deer-park of any person, or through any field enclosed with a wall five feet high at least, built with lime and stones or bricks, or through the house, offices, gardens, or orchards of six years growth, of any person who inhabits a house built with lime and stones or bricks, without consent of owner; and that a notice, setting forth, that an application is intended to be made next assizes for a presentment to lay out a new road from to distinguishing the several lands and baronies or barony in such county, and the number of perches it is to be made through each town land, has been personally served upon or left at the house of each occupier of the land, through which the same is to be made, in such county, twenty-one days at least previous to first day of such assizes, and that another such notice has been posted upon the door of county court-house, seven days at least previous to first day of assizes.

affidavit before two justices of a map deposited 21 days before assizes for inspection;

distinguishing the lands and baronies, and number of perches,

personal, or at each occupier's house, 21 days before assizes,

and posted on court-house door 7 days before.

LIX. *sect. 9.* No money shall be presented for any new road, unless an affidavit, sworn by two credible persons who can read and write, before one of the judges of assize, or two justices for such county, in form following, first laid before grand-jury.

Affidavit for money.

*County of* } *of and of do swear, that it will require the sum of to make perches of the new road lately laid out from to between and all in the barony of in said county, thirty feet wide in the clear at the least, and fourteen feet wide at the least, with gravel or small stones, being at the rate of by the perch, which they verily believe is the least the said perches can be effectually made for.*

And no part of the money so presented shall be paid on account of such presentment by treasurer, until affidavit of one of the overseers, who can read and write, appointed by grand-jury, sworn before one of the judges of assize in following form, allowed by grand-jury, and judge of assize.

Overseer's affidavit.

*County of* } *Whereas the sum of was presented at assizes in the year for said county, to be expended in making perches of the new road from to between and all in the barony of at the rate of by the perch, and the sum of for overseer's wages, at pence for each pound. Now I of do swear, that I have expended faithfully and honestly the sum of in making perches of the said new road, and that the said perches are thirty feet wide at the least in the clear, within the ditches, drains, or fences, and were effectually made fourteen feet wide at the least, with gravel or small stones, between the 25th day of March and the 25th day of August, in the year which sum, with my wages at pence for each pound, makes in the whole the sum of*

And

And no money ſhall be paid by treaſurer on account of any preſentment for fences, unleſs it ſhall appear to the grand-jury by affidavit of one of overſeers, ſworn before judge of aſſize, that the number of perches of fences preſented, has been made purſuant to ſaid preſentment; and unleſs ſaid affidavit allowed by grand-jury and judge of aſſize.

Traverſe the ſame aſſizes; tried at the ſame or the next, unleſs cauſe; verdict of damage concluſive; on payment of depoſite, overſeer may proceed;

LXX. *ſect.* 10. Any perſon aggrieved by any preſentment for any new road, may traverſe at ſame aſſizes in which ſuch preſentment made, and ſuch traverſe may be tried at ſaid aſſizes, and if not then, ſhall be tried at aſſizes next enſuing, unleſs good cauſe to the contrary; and the jury, who ſhall try the traverſe, ſhall true verdict give, whether any and what damages will accrue thereby to ſuch perſon, which verdict ſhall be concluſive to ſuch perſon; and upon the ſum ſo found for damages being paid, or depoſited with treaſurer for his or her uſe, it ſhall be lawful for the overſeer to proceed and lay out, or make, ſuch new road purſuant to preſentment without interruption of ſuch perſon; and it ſhall be lawful for grand-jury to preſent at diſcretion the ſum, ſo found for damages, to be raiſed upon the county, or barony or baronies through which ſaid road made, in proportion to the length it ſhall be made through each barony; and that the grand-jury of any county may alſo preſent any old road, or any part thereof, to be ſtopped up, where any new road to anſwer purpoſes of the old one hath been or ſhall be made, except ſuch old roads concerning which ſuits now depending in law or equity.

preſented on county or baronies;

old road ſtopped,

ſave where ſuits depending.

Traverſe thereof the ſame or next aſſizes; tried, or preſentment confirmed.

LXXI. *ſect.* 11. It ſhall be lawful for any perſon aggrieved by ſuch preſentment for ſtopping up any old road, to traverſe at ſame, or next aſſizes after ſuch preſentment made; ſuch traverſe ſhall be tried by a jury; and in caſe ſuch preſentment not traverſed, or, if traverſed, a verdict found for preſentment, ſuch preſentment ſhall be confirmed.

Veſtries in cities (except Dublin and Cork) and in boroughs and Lurgan, may aſſeſs inhabitants for paving, gravelling, and cleanſing ſtreets, or for lamps; may appoint applotters, at 12d. per £. and directors accountable on oath, at 12d. per day;

LXXII. *ſect.* 13. The veſtries of the ſeveral pariſhes in cities (except Dublin and Cork) and corporate or borough towns, and in the market town of Lurgan, may, if they think fit, preſent ſuch ſums as they think neceſſary, to be raiſed upon inhabitants of ſuch pariſhes reſpectively, living within bounds of ſuch cities and towns, for paving, gravelling, and cleanſing the ſeveral ſtreets or lanes through ſuch part of every ſuch pariſh as is in ſuch cities and towns, or for lamps, to enlighten the ſtreets or lanes; and alſo to appoint proper perſons to applot and levy the ſums ſo preſented by ſaid veſtry, and to allow ſaid perſons not exceeding twelve pence each pound ſo applotted and levied, for their trouble, and to appoint proper perſons to be directors or overſeers for expenditure of the money ſo preſented, who ſhall be obliged to account upon oath to the veſtry of ſuch pariſh for the ſame, and to allow ſaid perſons any ſum, not exceeding two ſhillings, each day every ſuch director or overſeer neceſſarily employed in directing or overſeeing ſuch work: provided no perſon ſhall have a right to vote at any ſuch veſtry, until he have taken the following oath, if required by any pariſhioner, which oath the miniſter or curate of ſuch pariſh is impowered to adminiſter:

oath at veſtry if required.

*I A. B. do ſwear, that I am a houſholder of this pariſh, and that I live within the bounds of this city or town, and that I am worth one hundred pounds over and above all the debts I owe, and that I am not a tenant at will for the houſe I live in.*

LXXIII. *ſect.*

LXXIII. *ſect.* 13. Every owner or driver of any cart, car, dray, or waggon, the wheels of which of leſs breadth or gauge than three inches at leaſt, from ſide to ſide, at the bottom or ſole, when worn, and when the ſtraiks or iron, with which ſuch wheels are bound, ſhall be ſet on with ſprigs or high-headed nails, ſhall forfeit five ſhillings and five pence, as alſo ſuch car, cart, dray, or waggon, whenever any ſuch ſhall be uſed or drawn on any publick road, to the perſon ſeizing the ſame; for the recovery whereof it ſhall be lawful for any perſon to ſeize any ſuch carriage, as alſo any horſe or beaſt of draft in ſuch car, cart, dray, or waggon, with all harneſs or accoutrements belonging, with all convenient ſpeed, deliver up ſaid horſe, or beaſt of draft, into cuſtody of conſtable, pound-keeper, or pariſh-officer of the ſame, or adjacent pariſh or liberty, where ſuch ſeizure made, who are hereby required to receive and retain twenty-four hours, unleſs ſooner delivered by warrant from a juſtice of the county where ſuch ſeizure made, in manner hereafter directed; provided, the perſon ſo ſeizing, ſhall, within twenty-four hours, make oath before ſome juſtice of ſuch county, who being ſatisfied ſuch offence has been committed, ſhall iſſue his warrant, under hand and ſeal, to conſtable, pound-keeper, or pariſh-officer, in whoſe cuſtody ſuch horſe or beaſt of draft is, requiring to deliver unto the perſon named in ſuch warrant, he firſt paying to ſuch conſtable, pound-keeper, or pariſh-officer, one ſhilling for each horſe or beaſt of draft, for his trouble in detaining; and upon delivery of ſuch diſtreſs to the perſon named in ſuch warrant the ſame ſhall be to the ſole uſe of the perſons ſo named, unleſs owner of ſaid beaſts at time of ſuch ſeizure, ſhall before delivery of the ſame pay the perſons named in ſuch warrant, five ſhillings and five pence; on payment whereof ſaid conſtable, pound-keeper, or pariſh-officer, ſhall deliver ſuch beaſts with all harneſs, to owner, paying ſaid conſtable, pound-keeper, or pariſh-officer, one ſhilling each beaſt for his care and trouble; and if any perſon ſhall hinder or with force obſtruct ſeizing or carrying off any ſuch ſeizure or diſtreſs for the aforeſaid offence, or any of them, or refuſe the ſame, or uſe any violence to any perſon concerned in making ſuch ſeizure or diſtreſs, every perſon ſo offending ſhall, upon due proof upon oath before any one juſtice where offence committed, forfeit for every ſuch offence forty ſhillings, to the perſon obſtructed; levied by diſtreſs and ſale of offenders goods and chattles, by warrant of ſuch juſtice under hand and ſeal; and collectors or receivers of tolls and cuſtoms in cities, towns-corporate, market-towns, or fairs, or of bridges (for paſſage over which tolls are paid) are required and impowered to demand and levy from all perſons double the tolls or cuſtoms, they are, by the laws now in force or by uſage, enabled to receive, who carry any goods, liable to pay any ſuch tolls or cuſtoms, in or through any city, town corporate, or market-town, or fairs, or over any ſuch bridges, upon any car, cart, dray, or waggon, which ſhall not have the wheels of the breadth or gauge of three inches at the leaſt, from ſide to ſide, at the bottom or ſole, when worn, or in caſe the ſtraiks or iron, with which the wheels thereof are bound, ſhall be ſet on with ſprigs or high-headed nails: and if it appear, upon due proof by one witneſs, upon oath before any one juſtice where ſuch collectors or receivers employed to collect the tolls or cuſtoms, that ſuch collector or receiver hath not obliged the owner or driver to pay ſuch double tolls or cuſtoms, ſuch collector or receiver, knowingly ſo offending, ſhall forfeit five pounds for every ſuch offence, levied by diſtreſs and ſale of goods and chattles, by warrant of ſuch juſtice under hand and ſeal, one moiety

Damage by narrow wheels and ſprigs, carts, &c. with wheels under 3 inches, and with ſprigs, forfeited with 5s. 5d. to ſeiſor;

horſe and accoutrements delivered to pariſh-officer,

kept 24 hours unleſs a warrant to deliver on oath by ſeiſor in 24 hours, juſtice's warrant to deliver;

1s. fee each horſe, unleſs payment by owner;

obſtructing or reſcue, penalty 40s. on oath before one juſtice,

double toll or cuſtom, if wheels not 3 inches broad, or ſet on with ſprigs;

collectors, &c. not levying double toll forfeit 5l. on oath before a juſtice;

to informer and infirmary;

13d. toll at turnpikes;

penalty on gate-keepers not above 20s. on oath before a justice, or his view;

4 wheel carriages not under 6 inches broad, set on with flat nails, rolling ten inches side, the middle space from 4 feet 10 inches to 5 feet, pay only 2d. turnpike;

2 wheel carts with 2 horses, &c. or cars with 4 inch wheels and flat nails, pay 1d. once a day on producing a ticket

moiety for use of informer, the other for the county infirmary; and collectors of tolls of turnpike-gates, are impowered and required to oblige owner or driver of every such car, cart, dray, or waggon, to pay thirteen pence toll at every turnpike-gate, which if such gate-keeper shall neglect to do, it shall be lawful for any justice of the county in which such turnpike-gate is, by warrant under hand and seal, to order any sum not exceeding twenty shillings, to be levied off the goods and chattles of such gate-keeper for every such offence, on due proof by one witness upon oath before such justice, or upon his own view; and the owner or driver of any waggon, wain, cart, or carriage with four wheels, the breadth thereof not less than six inches at the sole or bottom, and the straiks set on with flat-headed nails, and the fore-axle-tree of such waggon, wain, or cart, or carriage, being so much shorter than the hind, that the wheels of such carriage shall roll, at least, ten inches of the road in breadth on each side of such carriage, and the wheels thereof placed at such distance from each other, that the space between the middle of the one track by such wheels, and the middle of the other, shall be from four feet ten inches to five feet, shall not be obliged to pay more than two pence toll for any such waggon, wain, cart, or carriage with four wheels, at any turnpike gate for passing on any turnpike-road in this kingdom in the same day; and owner or driver of any cart with two such wheels, drawn by not more than two horses, or mules, or of any car or cart with two wheels, the breadth thereof being four inches at the bottom or sole, when worn, and the straiks thereof being set on with flat-headed nails, shall not be obliged to pay more than one penny toll, for passing on any turnpike-road the same day; it being the intention of this act, that the owners or drivers of such carriages with four and two wheels, shall not be obliged to pay more than once the same day, at any gate on the same turnpike road, or division, upon their producing a ticket from the gate-keeper of the first gate they passed through.

County presentment for sessions, gaol, or work-house, bridge, gullet, pipe or wall,

and overseer's wages not above 12d. per l. on affidavit by 2 before a judge or 2 justices, of reasonable charge and work necessary;

estimate annexed to affidavit;

foreman's certificate of affidavit and estimate for new bridge

except where old bridges destroyed,

LXXIV. *sect.* 14. It shall be lawful for grand-jury of any county at assizes, that such sums of money, as they think necessary, shall be raised upon such county at large, to be expended in building, rebuilding, enlarging, or repairing the sessions-house, gaol, work-house, or house of correction, or any bridge, or part of a bridge, or any gullet or pipe under any road, or any wall or part of wall, necessary to support any road, or for gravelling or filling over any such bridge, gullet, or pipe; and also for wages of overseer of such work, not exceeding twelve pence each pound by him expended agreeable to such presentment; provided no money shall be so presented, unless it shall appear by affidavit of two credible persons who can read and write, sworn before one of the judges of assize, or any two justices of such county, that the sum is a reasonable charge, and that the work is necessary, and cannot be effectually executed for a smaller, to the best of their judgment; and provided, if the affidavit shall be for building a new sessions-house, gaol, work-house, or house of correction, or bridge, or rebuilding an old one, a plan and estimate of the work be annexed to such affidavit, in which the following words shall also be inserted after the words (smaller sum) *according to the plan and estimate hereunto annexed*; and no presentment for any new bridge shall be confirmed, unless it first appear to such judge, that an affidavit and estimate for such new bridge had been laid before grand jury at last assizes, and certified by the foreman, that the same had been read unto such grand jury; but this shall not extend to new bridges presented instead

ſtead of old ones carried away or deſtroyed; and the whole ſum ſo preſented, ſhall not be paid by treaſurer of any county on account of any ſuch preſentment, until it appear to grand jury, and the judge, by affidavit of one of the overſeers, who can read and write, ſworn before one of the judges, that ſaid ſum ſo accounted for hath been faithfully and honeſtly expended in execution of the work, for which granted, to the beſt of his ſkill and judgment; and until ſaid account allowed by grand-jury, and judge of aſſize; and where any preſentment exceeding one hundred pounds ſhall be granted for building, re-building, or repairing of any ſeſſion-houſe, gaol, workhouſe, or houſe of correction, or any bridge, the judge is impowered to order ſuch part of any ſuch preſentment to be paid by treaſurer to overſeer, on overſeer's affidavit allowed by grand jury, that as much of the work is done according to preſentment, as amounts to the ſum required; which ſum is hereby limited not to exceed two thirds of the preſentment; provided the overſeer gives ſecurity before one of the judges of aſſize to finiſh the work purſuant to preſentment.

overſeer's affidavit of expenditure before a judge,

and account allowed;

where preſentment above 100l. for ſeſſion-houſe, &c. the judge may on overſeer's affidavit allowed, order payment of part not above 2-3ds;

Security by overſeers to finiſh.

LXXV. *ſect.* 15. It ſhall not be lawful for the grand-jury of any county to preſent more than half the ſum, that ſhall appear by affidavit of two credible perſons, ſworn before judge of aſſize, or two juſtices of ſuch county, neceſſary for building, re-building, or repairing of any bridge, gullet, or pipe, or filling or gravelling over the ſame, which is the boundary between ſuch and any adjoining county, and half overſeers wages raiſed upon ſuch county; and in the affidavits made before the money can be preſented or accounted for, inſtead of the words [*in ſaid county*] ſhall be inſerted theſe words: [*which is the boundary between this county and the county of* .] And no money ſhall be paid by treaſurer on account of ſuch preſentment, unleſs it ſhall alſo appear to the grand jury, and the judge, that an equal ſum hath been preſented for ſaid work on adjoining county; and any juſtice of any county, having an eſtate in freehold in lands, tenements, or hereditaments, of the clear yearly value of one hundred pounds at leaſt, within ſuch county, may, under hand and ſeal, order any ſum not exceeding five pounds, to be expended in repairing any bridge on a publick high road, ſeſſion-houſe, houſe of correction or gaol, within ſuch county, ſuddenly damaged, and which ought to be repaired by ſuch county; provided it appear to him, by affidavit of two credible perſons, who can read and write, that the repair of ſuch, cannot be delayed to next aſſizes without prejudice to the county, as they verily believe; and ſaid juſtice may alſo appoint proper overſeers to repair the ſame, and the grand-jury of every ſuch county is impowered to raiſe by preſentment next aſſizes the ſum ſo expended in repairing any ſuch bridge on a publick high road, ſeſſion-houſe, houſe of correction or gaol, upon any ſuch county at large, to be paid to overſeers ſo appointed by ſuch juſtice, upon producing ſuch affidavit as before mentioned, and ſuch warrant under hand and ſeal of ſaid juſtice, as alſo an affidavit ſworn by one or more of ſuch overſeers before the judge of aſſize, that he or they have faithfully and honeſtly expended the ſum ſpecified in ſaid affidavit, in repairing ſuch bridge, ſeſſion-houſe, houſe of correction or gaol; and any juſtice qualified as aforeſaid, upon affidavit of two ſubſtantial houſholders, who can read and write, may in like manner order any ſum, not exceeding forty ſhillings, to be expended in repairing any hole or bad ſtep, which may happen in any road by a ſudden fall of rain, or other accident, and appoint an overſeer to repair; and grand jury of every county are impowered to

Where bridge or gullet a boundary, half preſented,

and half wages;

where equal preſentment on adjoining county;

a juſtice having 100l. a year freehold in the county, may order 5l. for repair of bridge, houſe of ſeſſion or correction, or gaol ſuddenly damaged, on affidavit of two of prejudice by delay,

and appoint overſeers,

preſented next aſſizes on the county,

on producing the affidavit, warrant, and affidavit of expenditure;

and on affidavit by two houſholders,

ſaid juſtice may order 40s. for repairing bad ſteps;

and appoint an overſeer;

preſented on barony, ſame requiſites as by bridge overſeers; only one order for bridge or road between aſſizes; 100l. a year freehold in the barony for a road; affidavit by juſtice of view before order, &c.

raiſe by preſentment upon the barony in which ſuch road is, the ſum ſo expended, on ſuch overſeers performing ſuch requiſites as overſeers of bridges are required to perform; provided no juſtice ſhall make above one ſuch order for any bridge or road between aſſizes and aſſizes, nor for any road in any barony in which he has not a freehold of clear yearly value of one hundred pounds; and alſo no money ſhall be paid by any treaſurer to any overſeer, appointed by any juſtice in manner aforeſaid, unleſs it ſhall firſt appear to grand jury and judge, by affidavit of ſuch juſtice, that he viewed ſuch bridge or road, before he gave any orders for repairing; and that the repair ſeemed to him neceſſary; and that he viewed the ſame, ſince it was repaired; and that the work ſeemed well executed, and the whole of the money honeſtly expended, and that he has an eſtate of freehold in the county (if the order was for a bridge, gaol, ſeſſion-houſe, or houſe of correction) or in the barony (if the order was for a road) of the clear yearly value of one hundred pounds, and that he made only one ſuch order ſince laſt aſſizes.

On overſeer's death before account, and affidavit of expenditure, payment by treaſurer.

LXXVI. *ſect.* 16. Whenever the overſeer, appointed by the grand-jury for any work preſented, ſhall happen to die, before he has accounted, and after a part or the whole of the money preſented hath been expended by him in the execution, in caſe an affidavit ſworn by any credible perſon, who can read and write, before the judge, in the form preſcribed by this act for the overſeers to have ſworn, be allowed by grand jury and judge of aſſize; in which affidavit, inſtead of the words [*I have faithfully and honeſtly expended*] may be inſerted theſe words, [*to the beſt of his belief and opinion was expended by who is now dead*] the money declared by ſaid affidavit to have been expended, together with wages, if preſented, ſhall be paid by the treaſurer; any thing herein to the contrary notwithſtanding.

Repreſentment of money in treaſurer's hands for other work in ſuch barony or county;

LXXVII. *ſect.* 17. Whenever any ſum preſented, ſhall not be expended agreeable to ſuch preſentment, and accounted for within a reaſonable time after, it ſhall be lawful for grand jury to repreſent ſuch ſum then in treaſurer's hands, to be expended on ſome other work in the barony, upon which the former was preſented; or in the county, if raiſed upon the county; and it ſhall be lawful for any perſons, who have any ferry over any river, excepting cities and towns-corporate, to erect and ſupport a bridge, at their own expence, over ſuch river, in place of ſuch ferry, and to take and receive for paſſing, ſuch toll, and no more, as they are intitled to receive for paſſing ſuch ferry.

power to erect bridges in place of ferries, with like toll; cities and corporations excepted.

Overſeers not to raiſe materials on ſea-ſhore, where a publick road or bulwark, penalty 5s. per load on oath of one witneſs before a juſtice.

LXXVIII. *ſect.* 18. It ſhall not be lawful for overſeers of any road, bridge, or wall, to ſearch for, dig, raiſe, or carry away any gravel, ſtones, ſand, or other materials, from any beach or ſea ſhore, which is a publick road, or a bulwark, or defence to any towns or publick roads adjoining; and every perſon convicted thereof, on oath of any one credible witneſs, before any one juſtice within his juriſdiction, ſhall for every offence forfeit five ſhillings for every cart or car load of ſuch materials, ſo dug, raiſed, or carried away; any thing in this act to the contrary notwithſtanding.

Preſentment for ſecretary not above 5l.

and 5l. for interpreter,

10l. for crown clerk in lieu of fees and attendance;

LXXIX. *ſect.* 19. It ſhall be lawful for grand jury at aſſize, by preſentment, to raiſe ſuch ſum as they think fit, not exceeding five pounds, on ſuch county at large, for paying a ſecretary for trouble in drawing and entering preſentments, and attending ſuch grand jury during aſſizes; and alſo not exceeding five pounds, for an interpreter at ſuch aſſizes; and alſo not exceeding ten pounds in the whole, to the clerk of crown, in lieu of fees for perſons diſcharged at ſeſſions and aſſizes, and for attendance at aſſizes;

and

and alſo not exceeding ten pounds in the whole, to clerk of peace of ſuch county, for trouble in executing ſaid office; and alſo not exceeding one hundred pounds, for an accurate ſurvey and map of ſuch county; and alſo any ſum neceſſary for paying one half-year's rent of the court-houſe or ſeſſion-houſe, gaol, workhouſe, or office for keeping records of ſaid county, where ſuch office is taken and rented for that purpoſe by the grand-jury; and alſo any ſum, not exceeding twenty pounds, for the building or repairing of gallowſes, or for bolts, ſhackles, ſtocks, whipping-poſts, ducking-ſtools, or pillories, or cleanſing of neceſſary houſes of gaols, or for mile-ſtones, or finger-poſts; and alſo any ſum neceſſary for conveying any priſoner accuſed of capital offences to county gaol, ſo as the ſame do not exceed ſix pence each mile every ſuch priſoner ſhall be ſo conveyed; and alſo for recovering publick money from treaſurers, collectors, or receivers, their executors, adminiſtrators, or ſureties, upon ſuch bills of coſt being laid before grand-jury, and verified by affidavit ſworn in court.

10l. to clerk of peace,
100l. ſurvey and map,
for half-year's rent of office for records; not above 20l. for gallows, bolts, &c. for conveying priſoners not above 6d. per mile; and for recovering publick money on bills of coſts verified by affidavit in court.

LXXX. *ſect.* 20. No money ſhall be paid by treaſurer for or upon account of any ſuch preſentment, (except for ſalaries of the ſecretary to grand-jury, clerk of crown, and peace, or for rent) until it ſhall appear to grand-jury and judge of aſſize, by affidavit of one of the perſons to whom ſuch ſum granted, ſworn before one of the judges, that ſuch ſum hath been faithfully and honeſtly expended, agreeable to the preſentment.

No payment without affidavit of expenditure by one of the perſons, ſalaries and rent excepted.

LXXXI. *ſect.* 21. Grand-jury of each county ſhall every year appoint a proper perſon high conſtable for each barony or half-barony, for which high conſtables heretofore appointed; and alſo four proper perſons to be ſub-conſtables for every ſuch barony or half-barony, to aſſiſt in carrying this act into execution; and to preſerve the peace at aſſizes, ſeſſions, and elections, and at all times in ſuch county; and may, if they think proper, each aſſizes preſent any ſum not exceeding eight pounds, to be raiſed upon ſuch barony or half-barony, to be paid to ſuch four ſub-conſtables for trouble in executing ſaid office, by the treaſurer, upon producing a certificate from clerk of peace, that they had at ſome quarter-ſeſſions, or adjournment thereof, ſince their appointment, duly qualified, agreeable to an act of queen Ann, intituled, *an act to prevent further growth of popery*; and grand-jury of every county may each aſſizes appoint a proper perſon to collect the money preſented to be raiſed upon each barony or half-barony, as alſo the proportion of ſuch barony or half-barony preſented to be raiſed on the county at large, and may preſent any ſum, not exceeding nine pence in the pound, to be raiſed and paid as wages for collecting, on producing treaſurer's certificate of having paid the ſame purſuant to his recognizance; provided, the ſaid ſum preſented as wages ſhall not be raiſed, unleſs the perſons, who ſo collect, enter into a bond, with warrant, with two ſufficient ſureties to the treaſurer, to be approved by grand-jury at aſſizes, or by juſtices at ſeſſions, for collecting and paying all ſuch publick money as they are required to collect, to ſuch treaſurer, on or before the ſecond day of next aſſizes; and every collector appointed as aforeſaid, may, by writing under hand and ſeal, appoint deputy to aſſiſt him in collecting the publick money, for whom he ſhall be anſwerable; and in caſe the grand-jury neglect, or omit to appoint a collector for any barony, or a collector appointed ſhall fail to give ſecurity, the high conſtable ſhall, to all intents and purpoſes, be deemed collector within his diſtrict; and ſhall in like manner, on giving ſecurity, and not otherwiſe, be intitled to receive the ſum, preſented as wages, for his trouble in collecting;

Grand juries yearly to appoint high conſtables for baronies, where formerly appointed, and four ſub-conſtables, and may preſent 8l. for their trouble; paid on certificate of qualifying as by 2 Anne. c. 6.

Grand juries may appoint collectors, and preſent 9d. per pound wages, on treaſurer's certificate; collector's bond and warrant with two ſureties; approved at aſſizes or ſeſſions; to collect and pay by 2d. day of next aſſizes; collectors may appoint deputies for whom anſwerable; on failure of appointment, or of ſecurity, the high

constable deemed collector, and on security intitled to wages;

collecting; and the ſeveral conſtables of each county are required to aid and aſſiſt the collectors, or deputy collectors, or high conſtable of ſuch county, in collecting the publick money ſo preſented, as alſo all perſons impowered to levy publick money; which, if any conſtable, ſo required, ſhall refuſe, every ſuch conſtable ſhall upon conviction by oath of two credible witneſſes before any two juſtices of the county, city, or town-corporate, where ſuch offence committed, forfeit for every ſuch offence, a ſum not exceeding ten pounds, levied, with the charges, by diſtreſs and ſale of goods of offender, by warrant of any two juſtices for ſuch county, city, or town-corporate, where offence committed; and all perſons impowered to levy or collect publick money, ſhall and may levy the ſame by diſtreſs and ſale of goods and chattles of all ſuch perſons who refuſe to pay; and after ſale of ſuch diſtreſs, retain the money which ſaid perſon ought to pay, rendering the overplus (if any) after deducting one ſhilling in the pound for the trouble of levying, or one ſhilling every warrant.

constables to aſſiſt in levying publick money;

penalty on oath of two witneſſes before two juſtices not above 10l.

levied with charges by diſtreſs on warrant of two juſtices.

LXXXII. *ſect.* 22. Clerks of crown ſhall file, and keep amongſt the records of each county within his province, all affidavits, maps, plans, and eſtimates purſuant to this act, and within four days after every aſſizes, deliver to the treaſurer, without fee or reward, copies of all preſentments at ſaid aſſizes, and alſo of all queries diſcharged, ſigned by himſelf; and for every default ſhall forfeit five pounds, recovered by any perſon who ſhall ſue by civil bill; and ſuch clerk of crown ſhall alſo, every aſſizes, deliver to grand jury, a true and faithful return of all queries and preſentments, not duly accounted for and diſcharged; and if he ſhall wilfully neglect, he ſhall upon conviction by evidence to ſatisfaction of the court, be incapable of acting in ſaid office: and the treaſurer ſhall give copies of ſuch preſentments, as he ſhall receive from clerk of crown, to any of the overſeers in ſuch preſentment, or their order, on demand, or within ten days after ſuch overſeer ſhall apply, without fee or reward; and every treaſurer ſhall make up his accounts, upon oath, of all receipts and payments, every aſſizes, and lay them, fairly written, the laſt day of aſſizes, or ſooner, if required, before grand-jury of ſuch county where appointed treaſurer, to be viewed, allowed, or diſapproved by ſaid grand-jury, who ſhall cauſe the ſame to be entered in county-book, with ſuch remarks as they think fit; and no treaſurer ſhall compound for any money, nor make any deductions whatſoever, for any ſum he ſhall pay to any perſons, but ſuch as he ſhall account for; and if the treaſurer of any county offend herein, or neglect to make up accounts as aforeſaid, or to keep an office open every day (Sundays excepted) for fourteen days immediately after every aſſizes, from nine 'till three in the afternoon, in the town wherein aſſizes laſt held; or ſhall during that time refuſe to pay amount of all queries diſcharged, without fee or reward (if he ſhall have publick money to pay the ſame) he ſhall be fined by the judge, or committed, without bail or mainprize, to county gaol, at diſcretion of ſuch judge.

Crown clerks to file affidavits, maps, plans, and eſtimates, in four days after aſſizes give copies of preſentments and queries diſcharged, ſigned by them, penalty 5l. by civil bill;

return to grand juries all preſentments and queries not accounted for and diſcharged, or incapacitated.

Treaſurer to give copies of preſentments to overſeers on demand, or 10 days after;

account on oath every aſſizes,

lay before grand-jury the laſt day of aſſizes, or ſooner if required,

entered on county book with remarks,

no compoſition or deduction;

office open 14 days, except Sundays, next after aſſizes, from 9 to 3 in aſſize town; penalty, fine or impriſonment.

LXXXIII. *ſect.* 23. Treaſurer of each county ſhall, within one month after he received ſuch copies of preſentments, iſſue warrants to the perſons who, under proviſion in this act, are to be collectors for levying the ſums raiſed off each barony or half barony, in order to anſwer the preſentments at ſuch aſſizes, which ſums every perſon, to whom ſuch warrant is directed, is impowered and required to raiſe and levy, and to pay to the treaſurer, on or before the ſecond day of next aſſizes; and in caſe any perſon ſhall refuſe to pay

Treaſurer, in a month after receiving copies, ſhall iſſue warrants to collectors;

payment to treaſurer by ſecond day of next aſſizes;

pay proportion thereof, ſuch perſon as impowered to collect the ſame, ſhall and may levy the ſame by diſtreſs and ſale of goods and chattles of ſuch perſon, rendering the overplus, if any, after deducting twelve pence each pound, for his trouble; and in every ſuch warrant ſhall be inſerted the names of the manors, pariſhes, or denominations in that portion of the county, which ſuch perſon is to collect from, as is contained in county book, and alſo the whole ſum to be collected, and the portion thereof which each manor, pariſh, or denomination is to pay, according to its contents in county book, or as uſually rated.

collectors may diſtrain,
fee 12d. per l.
the whole ſum and portion of each, as in county books, or as uſually rated.

LXXXIV. *ſect.* 24. And whereas it has been found very difficult to aſcertain the proportion each perſon is to pay, every perſon impowered to receive the ſame, to whom ſuch warrant ſo ſent, ſhall, within ten days after he receive ſuch warrant, deliver or ſend to the ſeneſchal, rector, vicar, curate, or church-wardens of each manor, pariſh, or denomination of land in ſuch warrant, or in caſe there be no ſeneſchal, rector, vicar, or curate, or church-warden, then to any principal reſiding inhabitant (if required ſo to do by any two landholders of any ſuch manor, pariſh, or denomination of land, or if he find it neceſſary) an account in writing, ſigned by himſelf, of the ſum he is required by ſaid warrant to levy, and to deſire that the ſaid ſum may be applotted thereon; and every perſon, who ſhall receive ſuch account, is required (under penalty of ten pounds, recovered by civil bill, before judges of aſſize, by any perſon who ſhall ſue) to poſt up within ſix days after receipt thereof, on the door of the church, or any other conſpicuous place in ſaid manor, pariſh, or denomination, a notice ſigned by himſelf, ſetting forth, that the landholders and inhabitants of are hereby to meet at on the day of to chuſe two or more perſons to applot the ſum of required to be levied, by warrant of the treaſurer of this county; at which meeting the landholders and inhabitants preſent ſhall chooſe two or more applotters; and the perſons ſo choſen ſhall applot fully and juſtly, as ſoon as they conveniently can; and ſhall upon the back of, or underneath applotment, make oath before any juſtice for ſuch county, that they have made ſaid applotment juſtly, according to beſt of their ſkill, without favour, affection, or malice: and ſhall, within thirty days after ſo choſen, deliver the ſame to the perſon, impowered to collect, under penalty of forfeiting for every day they omit to deliver the ſame, after ſaid thirty days, ten ſhillings, recovered by civil bill, before judge of aſſize, by any perſon who ſhall ſue; and the collector, on receiving ſuch full and ſufficient applotment, is authorized and required to levy ſaid money according thereto; and alſo any ſum not exceeding ten ſhillings, for applotters fees, by diſtreſs and ſale of goods of every perſon refuſing to pay the proportion applotted; rendering the overplus, if any, to owner; and in caſe no full and ſufficient applotment returned within thirty-ſix days after ſuch account ſent or delivered, it ſhall be lawful for the collector, or deputy, or high conſtable, into ſuch manor, pariſh, or denomination to enter, and diſtrain the whole or any part, and by ſale to levy the full ſum he is required by treaſurer's warrant to levy, upon ſuch manor, pariſh, or denomination; and it ſhall be lawful for grand-jury of any county, at any aſſizes, to preſent all ſuch ſums as now are or hereafter, ſhall be unpaid, or in arrear, out of any barony or half-barony, to be raiſed and levied on ſuch barony or half-barony, which the ſame was originally required by treaſurer's warrant to be levied upon, if they think fit, and to preſent all

In 10 days after receipt of warrant, account of the ſum delivered to the ſeneſchal, rector, &c.
if none, to any principal reſident, if required by 2 landholders, or if neceſſary;
and deſire applotment;

notice poſted in 6 days after, penalty 10l. by civil bill, requiring a meeting to applot the ſum,

two or more then choſen to applot;

applotment on oath before a juſtice,
delivered in 30 days to collector;
penalty 10s. a day;
collectors thereon to levy,
and 10s. applotters fees;

if not ſufficient applotment returned in 36 days after account ſent,
collector to enter and diſtrain.
Preſentment for arrears,

ſuch

ſuch ſums which have hitherto been, or hereafter ſhall remain unpaid, on account of abſconding or inſolvency of any collector, or any perſon impowered to collect or receive publick money, who is or ſhall be inſolvent, to be raiſed and levied either upon the county, or barony or half-barony in which the ſame was before levied, if they think fit; which ſums ſhall be levied in ſame manner, and ſubject to ſame rules, regulations, proviſion, and powers, as money to be levied by this act; and in caſe any money ſo detained or ſecreted by any collector, treaſurer, or other perſon impowered, ſhall be hereafter recovered, it ſhall be paid to the then treaſurer, and preſented by grand jury to be expended in executing ſome work in the county at large, or barony or half-barony, ſo charged, ſuch as grand-juries have power to preſent on the county, barony, or half-barony reſpectively. And if it appear to any judge, upon due proof by two credible perſons upon oath at any aſſizes, within one year after any quere, or at any preſentment by which money was granted, has been diſcharged, that the court was deceived by any affidavit for diſcharging ſuch quere, and that the money was not expended agreeable to preſentment, the judge may, notwithſtanding ſuch quere diſcharged, fine or iſſue proceſs againſt overſeers in ſuch preſentment, as if the quere not anſwered. And if any lordſhip, manor, or pariſh, ſhall be ſo large, that one conſtable not ſufficient to do the whole office, it ſhall be lawful to appoint two or more conſtables for ſuch lordſhip, manor, or pariſh, in ſuch manor as ſuch one conſtable was formerly appointed; which new conſtables ſhall have ſuch and the ſame power and authority, as any other conſtable hath, or by laws of this realm ought to have.

or on abſconding or inſolvency of collectors, levied in like manner,

paid to treaſurer, preſented for publick works in the county, &c.

On proof on oath by two, within 1 year, of deceit on the court by affidavit, fine or proceſs againſt overſeers, as if query not diſcharged.

In large pariſhes, &c. 2 or more conſtables,

with like powers.

LXXXV. *ſect.* 25. If any collector appointed by grand jury, die before he collected the publick money, it ſhall be lawful for the juſtices at ſeſſions, or any adjournment, to appoint another fit and proper perſon to collect in the place of ſuch collector, upon giving ſufficient ſecurity to perform the requiſites, until a collector appointed by grand jury of ſuch county.

On collectors death, another appointed at ſeſſions,

ſecurity to perform.

LXXXVI. *ſect.* 26. It ſhall be lawful for any perſon, aggrieved by preſentment, to enter one or more traverſes in open court to ſuch preſentment; which ſhall be tried immediately, or next aſſizes.

Traverſe to preſentment, tried immediately, or next aſſizes.

LXXXVII. *ſect.* 27. Such traverſe may be tried upon entry of any preſentment in crown book, and the traverſe taken thereto, without making up any record, ſo that ſuch entry in crown book be ſufficient in ſubſtance, though defective in form. And every overſeer appointed by grand-jury for making or repairing any publick road (or wall neceſſary for ſupport of any road) ſhall be impowered to dig for, raiſe, and carry away any gravel, ſtones, ſand, or other materials wanted for building, rebuilding, enlarging, or repairing any bridge, gullet, pipe, (or wall neceſſary for ſupport of any road) or for making, repairing, or preſerving any road, whether in ſuch county, or adjoining county, and to make drains, to carry off water that may injure any bridge, gullet, pipe, wall, or road, in or through lands of any perſon, not a deer-park, green, orchard, haggard, or yard, or in the planted walk, avenue, or lawn, to manſion houſe of any perſon, and to carry away ſaid materials; and ſuch overſeer ſhall make ſuch ſatisfaction to owner or occupier, for damage done thereby, as aſſeſſed by three ſubſtantial houſe-holders of the county, one named by each of the parties, and the third by the next, or any neighbouring juſtice, who ſhall be ſworn by ſuch juſtices of peace to be appraiſers of ſuch damages, and to make a true eſtimate to beſt of their ſkill; and if any perſon obſtruct or prevent ſuch overſeers

On entry in crown book, if ſufficient in ſubſtance.

Overſeer may raiſe materials in that or adjoining county,

and make drains through any lands, except deer-park, &c.

and carry away; ſatisfaction to owner or occupier; damage aſcertained by 3 houſeholders; one named by each, a third by a juſtice, ſworn appraiſers; obſtructing overſeers,

ſeers in digging for, raiſing, or carrying away ſuch materials, or in making ſuch drains, ſuch perſons ſhall, upon conviction by oath of one credible witneſs, before any one juſtice of ſuch county, city, or town corporate, where ſuch offence committed, forfeit for every ſuch offence, a ſum not exceeding five pounds; levied, with charges, by diſtreſs and ſale of goods of offender, by warrant of any one juſtice of ſuch county, city, or town corporate, where ſuch offence committed.

penalty 5l. on one witneſs before a juſtice, by diſtreſs and ſale.

LXXXVIII. *ſect.* 28. And that a ſufficient recompence may be made to any perſon injured, the eſtimate of ſuch damages as aforeſaid, made by the perſons appointed, and ſworn to by them before two juſtices of ſuch county, may be laid before next grand-jury, who may preſent ſuch ſums as they think a ſufficient recompence (not exceeding the ſum ſo eſtimated) to be raiſed off the county at large, and paid to ſuch perſons by the treaſurer; and every ſuch overſeer may give notice to owner or occupier of the land adjoining, to ſcour the drains or ditches, or to cut or clip the hedges by the ſides of ſuch roads, at a height not exceeding five feet, which, if owner or occupier neglect to do within ten days after ſerving ſuch notice, any juſtice of the county in which ſuch road is, may, by warrant under hand and ſeal, order the overſeer to have ſaid drains or ditches effectually ſcoured, or hedges cut or clipped; and authorize ſuch overſeer to levy the expence off the goods of ſuch owners or occupiers, together with ſuch wages to ſaid overſeer, as ſaid juſtice ſhall think fit, not exceeding eighteen pence each day ſaid overſeer ſhall neceſſarily be employed in attending and performing ſuch work.

Eſtimate of damages ſworn before a juſtices, laid before next grand-jury, preſented off the county, paid by treaſurer; notice by overſeer, to occupier, to ſcour drains, or clip hedges to 5 feet; on neglect 10 days, done by overſeers on juſtices warrant, and expences levied, with wages not above 18d. a day.

LXXXIX. *ſect.* 29. If owner or occupier of any land or houſe adjoining any publick road ſhall, after notice by overſeer or ſub-conſtable of the barony, to remove any dunghill, dirt, rubbiſh, or other nuiſance laid upon any part oppoſite to his or her land, or houſe, or within twenty-one feet of ſuch road, or to make ſewers or pipes for free paſſage of water, obſtructed by paſſing of cattle into his or her land, or houſe from ſuch road, ſo as to injure ſuch road, forty-eight hours next after ſervice of ſuch notice perſonally, at his or her houſe or uſual place of abode, the overſeer or ſub-conſtable, or any other perſon may complain of the refuſal or neglect, to any juſtice for the county, and thereupon it ſhall be lawful for ſaid juſtice to iſſue warrant or ſummons, requiring party ſo complained of to appear at a certain place, within ſix days after ſuch ſervice, of the ſaid warrant or ſummons, to anſwer ſaid complaint; and ſaid juſtice ſhall and may, in preſence of ſaid parties complained of, or in their abſence, if duly ſummoned, he, ſhe, or they refuſe or neglect to appear at the time and place appointed, examine into the matter of ſaid complaint; and if it ſhall be manifeſt to ſaid juſtice, upon ſuch examination, by confeſſion, or upon oath of one credible witneſs, that ſaid complaint was well founded, it ſhall be lawful for every ſuch juſtice, upon every ſuch offence proved as aforeſaid, to fine the owner or occupier, of ſuch land or houſe, in any ſum not exceeding twenty ſhillings; and by warrant to levy the ſame by diſtreſs and ſale of the offender's goods; and the money ariſing by ſuch ſale, over and above amount of ſaid fine, to pay ſaid owner or occupier; and ſaid fine levied as aforeſaid, ſaid juſtice ſhall apply in manner following, firſt to defray expence of removing ſaid dunghill, dirt, or rubbiſh, or other nuiſance, and in making ſuch ſewers or pipes; and the reſidue of ſaid fine, the ſaid juſtice ſhall pay to the miniſter and church-wardens of the pariſh, for uſe of the poor of ſaid pariſh.

48 Hours after notice, by overſeer or ſub-conſtable, to remove nuiſance within 21 feet of the center, or to make ſewers for water; ſummons by a juſtice on complaint of neglect; to appear and anſwer in 6 days; complaint examined, if offence proved, fine not above 20s. by diſtreſs and ſale, fine applied to defray the expence, reſidue to church-wardens for poor.

XC. *ſect.*

Buildings within 25 feet of center, except in cities or towns, keeping curs, &c. within 50 yards, without a block, laying rubbiſh, &c. within 21 feet of center, ſteeping or drying flax, burning weeds within 100 yards of a road, building lime-kiln within 50 yards, or cut or ſtack turf within 21 feet of center, or pull down part of a bridge, or injure mile-ſtone or poſt, or dig pit, or build a wall within 15 feet of center, or put up ſign or may-buſh within 25 feet of center, or leave cars, by night without 21 feet paſſage, or winnow corn, or alter road without authority, or leave or ſkin dead beaſts within 100 yards of center, or drive cars with timber or iron croſs-ways, or ſcrape gravel, on conviction by 1 witneſs before a juſtice, or his view, penalty 10s. drawing mill-ſtone without a wheel-carriage, penalty 40s. drawing timber, &c. not ſupporting the ends on wheels of 3 inches at leaſt, on 1 witneſs before a juſtice, or his view, penalty 5o. and the timber, &c. to ſeizor, houſe or lime-kiln contrary to act, preſented and pulled down; dogs killed on juſtice's warrant, pit or ditch filled or levelled, expence by diſtreſs and ſale, any one may take ſuch turf, &c. to his own uſe, and kill ſuch dogs, without being ſued.

XC. *ſect.* 30. Every perſon, who ſhall build any houſe, or part of a houſe, within twenty-five feet of the center of any road, (except in cities or market-towns,) or keep any cur, dog, maſtiff, or bull-dog, at any houſe within fifty yards of any road, without having a block of wood of five pounds at the leaſt, faſtened to the neck of every ſuch dog, or ſhall lay any turf, dung, dirt, ſtraw, rubbiſh, or the ſcouring of any ditches or drains, or other filth, or any ſtones, or timber upon any part of any road, or within twenty-one feet of the center, or ſhall ſteep or dry any flax, or burn any weeds or bricks within one hundred yards of any road, or build any lime-kiln within fifty yards, or cut any turf, or make any turf-ſtack within twenty-one feet of the center of any road, or ſhall pull down any part of any bridge, or injure any mile-ſtone or finger poſt, or dig any pit, or ditch, or build any wall within fifteen feet of the center, or put up any ſign-poſt or may-buſh within twenty-five feet of the center, or leave any car or cart from ſun-ſet to ſun-riſe, on any part of any road, or in the ſtreets of any city or town through which travellers uſually paſs, without leaving a paſſage twenty-one feet at leaſt in breadth, or winnow any corn on any part of any road, or alter any road not being firſt authorized by due courſe of law, or leave the carcaſe of any dead horſe, mule, aſs, or other beaſt, or ſkin any dead beaſt on any road or within one hundred yards of the center, or lead or drive any car or cart with timber, boards, or iron laid croſsways, or ſcrape the gravel off any road, ſhall upon conviction, by oath of one credible witneſs, before any juſtice of the county where ſuch offence committed, or upon view of any ſuch juſtice, for every ſuch offence, forfeit not exceeding ten ſhillings, levied by diſtreſs and ſale of goods of offender, by warrant of any one juſtice of the county, city, or town corporate in which ſuch offence committed: and if any perſon draw any mill-ſtone on any road, without ſupporting by a carriage on wheels, ſuch perſons ſhall, upon conviction by the oath of one credible witneſs before any one juſtice of the county where ſuch offence committed, forfeit not exceeding forty ſhillings, levied by diſtreſs and ſale of goods of offender, by warrant of any one juſtice of the county, city, or town-corporate in which ſuch offence committed; and if any perſon draw any timber, boards, or ſticks, without ſupporting the ends on a carriage on wheels of the breadth of three inches at leaſt, on any road made or repaired with money granted by grand jury of any county, or turnpike board, ſuch perſon ſhall, upon conviction, by oath of one credible witneſs, before any one juſtice within his juriſdiction, or upon view of ſuch juſtice, forfeit not exceeding five ſhillings, levied by diſtreſs and ſale of goods of offender, by warrant of ſuch juſtice, and alſo ſuch timber, boards, or ſticks, to the perſon who ſhall ſeize; and the grand-jury at any aſſizes may preſent any houſe, or part of a houſe, or lime-kiln, hereafter built contrary to intent of this act to be pulled down, or any juſtice within his juriſdiction, may by his warrant order any dog kept contrary to intent of this act, to be killed, or any pit or ditch filled up or levelled, or any wall thrown down hereafter made or built contrary to this act, as alſo neceſſary expence attending thereon, to be levied by diſtreſs and ſale of offenders goods and chattles; and any perſon may take and carry away all ſuch turf, dung, dirt, ſtraw, or rubbiſh, corn, filth, ſcouring of ditches or drains, or ſtones, as he ſhall find ſo laid upon any part of any road, or within twenty-one feet of the center, and apply to his own uſe, and kill any dog kept contrary to this act, without being ſued or proſecuted.

XCI. *ſect.*

XCI. *sect.* 31. Every landholder or occupier, who shall lay, or cause, or suffer to be laid, upon his land, within three miles of any city, or one mile of any town-corporate, for manure, or any other purpose, any filth, offals, or blood, or scrapings of slaughter-houses or shambles, or emptyings of privies, without immediately covering with such quantities of lime or earth, as sufficient to prevent any annoyance, shall, upon view of any justice within his jurisdiction, or upon information of one credible witness, forfeit five pounds every such offence, levied by distress and sale of goods and chattles, of offender, by warrant of such justice, within his jurisdiction, under hand and seal.

Laying filth for manure, &c. 3 miles of a city, 1 of town-corporate, without lime or earth sufficient; penalty 5l. on justice's view, or 1 witness informing.

XCII. *sect.* 32. It shall be lawful for judges of assize, in their circuits, from time to time, to order warrants in nature of execution to issue, to the high sheriff or other officer lawfully authorized, where any person was made treasurer, collector, or overseer of any publick work, impowering sale of goods and chattles, or sufficient part, or by or out of rents, issues, and profits of lands and tenements of any such treasurer, collector of publick money, or overseer, or their sureties, who shall not have accounted for and paid the publick money and who shall be found in arrear, to raise, levy, and collect such sums for which they shall be so in arrear, and pay the same when levied to treasurer of the county; for collecting which such high sheriff, or under sheriff, or lawful deputy, or other officer lawfully authorized, shall be intitled to receive one shilling for every pound he shall so collect, levied in manner aforesaid from such persons against whom such warrant shall issue; and it shall be lawful for every judge of assize to enquire of, hear, and determine every offence, matter, and cause, by reason of this statute; and to lay on such reasonable fines as thought meet; which fines shall be levied by the high sheriff, or under-sheriff, or collector of any barony, or deputy, as said judge shall direct, as all county or barony taxes are hereby appointed to be levied, and shall be paid to the treasurer, to be expended in such manner as the grand shall direct, after deducting one shilling in the pound for levying.

Execution on judges warrant to levy arrears of treasurer, collector, &c. by sale of goods, or rents and profits.

fee 1s. per £.

judges to determine offences, and impose fines; levied as county or barony taxes, paid to treasurer, expended as by grand jury, fee 1s. per £.

XCIII. *sect.* 33. If any person sued, molested, or troubled for putting in execution any of the powers in this act, or doing any act, or thing pursuant thereto, such person shall and may plead the general issue, and give the special matter in evidence, or avow the taking any distress on the treasurer's warrant, merely without going into other title or authority; and if plaintiffs non-suited, and judgment against them, upon demurrer or otherwise, or a verdict for defendants, or a dismis upon a civil bill, such defendants shall have treble costs; recovered by such method and manner as where by law costs given to defendants; and the solemn affirmation or declaration of a quaker shall be adjudged and taken of same force and effect to all intents and purposes, in any case where by this act an oath required, as if such quaker had taken an oath in form prescribed, or in usual form.

General issue pleaded,

avowry on treasurer's warrant;

treble costs on non-suit, &c.

quaker's affirmation valid as oath.

XCIV. *sect.* 34. Justices of peace are authorized to put this act in execution, and to administer the several oaths herein before directed, within their respective jurisdictions; and one moiety of all forfeitures and pecuniary penalties inflicted by this act, and not otherwise applied, shall be paid informer, with full costs; the other to the treasurer of county infirmary, for benefit of such infirmary; and if any person convicted of any offence, shall not be able to pay the penalty, it shall be lawful for the justices, before whom convicted, to send such person to the workhouse or house of correction of

Justices authorized to act and administer oaths;

forfeitures not applied, to informer with full costs, and to infirmary;

on non-payment, house of correction, not above three months.

of the county, to remain at hard labour for ſuch time as ſaid juſtices think proper, not exceeding three months.

Perjury, falſe affirmation, forging juſtice's name, penalties for perjury.

XCV. *ſect.* 35. Every perſon guilty of wilful and corrupt perjury, or falſe affirming, or forging or counterfeiting the name of any juſtice, and thereof convicted by due courſe of law, ſhall incur the pains and penalties by law enacted againſt wilful and corrupt perjury.

Foot-paths, preſentment not above 12d. per perch, with ſtiles, 3 feet wide, accountable as for roads.

XCVI. *ſect.* 36. It ſhall be lawful for grand jury of any county, county of a city, or town, to raiſe by preſentment ſuch ſums as ſuch grand jury think neceſſary, not exceeding twelve pence *per* perch, for making or repairing a foot-path, with ſtiles, not leſs than three feet wide on any road in ſuch county, or along the ſide, with conſent of occupier of the land, upon any barony in ſuch county in which ſuch foot-path is neceſſary, ſubject to ſuch method of account as preſentments for publick roads are by this act ſubject; and if any perſon ſhall ride or drive any beaſt or cattle, knowingly, [willingly, or unneceſſarily on any ſuch foot-path, ſuch perſon ſhall, upon conviction, by oath of any one credible witneſs, before any one juſtice within his juriſdiction, or upon view of any ſuch juſtice, for any ſuch offence, forfeit a ſum not exceeding five ſhillings, levied by warrant under hand and ſeal of ſuch juſtice, by diſtreſs and ſale of the cattle, ſo ridden or driven on ſuch foot-path, which penalty ſhall go to the informer.

Riding or driving cattle thereon, on one witneſs or juſtice's view; 5s. to informer, diſtreſs and ſale of cattle.

Extended to counties of cities and towns.

XCVII. *ſect.* 37. This act ſhall extend to counties of cities, and counties of towns, and grand juries thereof ſhall be impowered to preſent ſuch ſums as they think neceſſary on the county at large of ſuch city or town in ſame manner, and for ſame purpoſes, and ſubject to ſame method of account to all intents, and to do every other act that grand juries of counties are by this act enabled to do, although the words, in the barony or half-barony of be not inſerted in the affidavits laid before ſuch grand jury.

Preſentments in conſequence of repealed act levied, &c. as by that and this act.

XCVIII. *ſect.* 38. All preſentments made, or money to be levied, accounted for, or paid, in conſequence of the act hereby repealed, ſhall be levied, accounted for, and paid, in manner preſcribed thereby, or by this act, ſubject to rules, proviſoes, and regulations, therein or herein contained.

11 G. 3. c. 9. altered.

XCIX. *ſect.* 39. And whereas by an act eleventh of his preſent majeſty, it is provided that a veſtry ſhall be held in every pariſh or union in Ulſter, on the firſt Tueſday, Wedneſday, or Thurſday after ſaint Michael every year, ſuch veſtry ſhall, inſtead of being held on the days mentioned in ſaid act, be hereafter held on the firſt Tueſday, Wedneſday, or Thurſday of September in every year.

Veſtries held firſt Tueſday, &c. of September yearly.

Collectors of veſtry preſentments, refuſing to pay, ſummoned on director's complaint by a juſtice having 300l. a year, and if no cauſe, levied with coſts, and paid to directors as by the preſentment.

C. *ſect.* 40. And whereas collectors of money preſented at veſtries, held under ſaid act, frequently refuſe to account for, or pay the money collected to the directors mentioned in the ſaid act, upon ſuch refuſal, any juſtice of the county, ſeized or poſſeſſed of three hundred pounds a year, ſhall, on complaint of any ſuch directors, ſummon collectors ſo refuſing, before him; and if ſuch collectors ſo ſummoned ſhall not ſhew ſufficient cauſe for refuſal, or for not collecting the ſums preſented at veſtry, the juſtice ſhall forthwith by warrant under hand and ſeal, cauſe the ſums received, or which ought to have been received, without wilful default, by ſuch collectors, to be forthwith levied off goods and chattles of collectors, together with coſts of ſuch warrants, and of conſtable's trouble in levying; and pay the ſame to the directors of the pariſh, to be applied by them purſuant to the preſentment.

CI. *Stat.* 13 & 14 *Geo.* 3. *cap.* 33. *ſect.* 1. Truſtees of the roads, and ſurvivors, or any five or more, or ſuch perſons as they appoint, ſhall and may erect gates or turnpikes in, upon, or acroſs any parts of ſaid highways or roads, and toll-houſes, and take the tolls and duties following; for every coach, berlin, chariot, calaſh, chaiſe or chair, drawn by ſix horſes, mares, geldings, aſſes, or mules, or more, one ſhilling; drawn by any leſs number than ſix, and more than one, ſix pence; for every waggon, wain, cart, car, or other ſuch carriage with four wheels, drawn by any cattle, five ſhillings; for every wain, cart, car, or carriage with two wheels, drawn by more than one horſe, mare, or gelding, aſs or mule, or other cattle, four pence; for every chair or chaiſe with one horſe, mare, gelding, aſs, or mule, three pence; for every car, or other carriage, drawn by one horſe, mare, gelding, aſs, or mule, three half pence; for every horſe, mare, gelding, aſs, or mule, laden or unladen, and not drawing, one penny; every drove of oxen or neat cattle, ten pence *per* ſcore, and ſo in proportion; every drove of calves, hogs, ſheep, or lambs, five pence *per* ſcore, and ſo in proportion; which ſums ſhall be demanded and taken, as a toll or duty, and the money ſo raiſed, ſhall be veſted in the truſtees, and every part paid, applied, diſpoſed of, and aſſigned for the ſeveral uſes, and in ſuch manner, as herein after directed; and ſaid truſtees, or any five or more are impowered by themſelves, or any perſons by them, under hands and ſeals, authorized, to levy the toll or duty hereby required, upon any perſons who ſhall, after demand, neglect or refuſe to pay by diſtreſs of any horſes, or other cattle or goods upon which ſuch toll or duty is by this act impoſed, or upon any other goods and chattles of ſuch perſons, and may detain until ſuch toll or duty, with reaſonable charges of diſtraining or keeping paid; and it ſhall be lawful for ſuch perſons diſtraining, after five days after ſuch diſtreſs, to ſell the goods diſtrained, returning overplus, if any, upon demand, to owner.

Five truſtees to erect turnpikes;

the toll.

CII. *ſect.* 2. Out of the firſt money ariſing by the profits of the turnpikes, ſaid truſtees, or any five, ſhall firſt pay and diſcharge the expence of this act, and of erecting turnpikes, or toll-houſes; and then the profits ariſing, and the toll at any turnpikes erected upon ſaid road leading from Tubber near the bounds of the counties of Clare and Galway, to Ennis, and from thence to the north liberties of Limerick, ſhall be applied towards repair of ſaid road only.

Tolls after expences applied to the road.

CIII. *ſect.* 3. If any perſons owning, renting, or occupying any land near any turnpike ſhall, for gain, reward, or otherwiſe wittingly or willingly permit any perſons to paſs through to avoid payment, and being convicted upon oath of one or more witneſſes, before the truſtees, or any five, or one or more juſtices of the county wherein offence committed, ; every perſon ſo offending ſhall forfeit ſix ſhillings; levied by diſtreſs and ſale of goods, by warrant under hand and ſeal, of ſaid truſtees, or juſtices, rendering the overplus to owner, the charges of taking and diſpoſing being firſt deducted.

Permitting paſſage to evade toll,

penalty 6s.

CIV. *ſect.* 4. It ſhall be lawful for ſaid truſtees to erect gates or turnpikes on the ſide of ſaid roads, acroſs any lane or way leading out of ſaid road, and to build toll-houſes, and take ſuch toll as appointed, ſo as not a double charge in caſe of paſſing through any other turnpikes between Tubber and Ennis, and from thence to the north liberties of Limerick.

Side gates erected.

CV. *ſect.* 5. Said truſtees at meeting, by writing under hands and ſeals, ſhall appoint collectors and ſurveyors, and from time to time to remove, as they ſee occaſion, and appoint new ones, in caſe of death or removal; and the

Collectors and ſurveyors appointed at meeting, and removed;

accountable monthly;

persons so appointed such surveyors, shall, upon oath, if required, on the first Tuesday in every month, or oftner if required, give in a true, exact, and perfect account in writing, under their hands, of all monies which they have received, paid, and disbursed, for which oath no fee or reward taken; and in case any money, so received, remain in any of their hands, the same shall be paid to said trustees, or any five or more, who shall, by writing under hands and seals authorize and impower to receive the same; and shall be disbursed and laid out in amending said road according to the true intent and meaning of this act, and not otherwise; and said trustees shall make such allowance to said receivers, collectors, and surveyors, and to such other persons assisting in and about procuring said roads to be amended and repaired by advancing or laying out any monies, or otherwise relating thereto, as to them shall seem good; so as such allowance to collectors do not annually exceed in the whole thirty pounds; and to such surveyors two shillings and six pence *per diem*, during time employed; and so as such allowance to any other person employed, do not exceed fifteen pounds yearly to each person; and in case said receivers or collectors shall not make such account and payment at any special sessions or meeting, shall make enquiry, and finally determine of and concerning such default, as well by confession of parties, as by testimony of one or more credible witnesses upon oath; and if any persons convicted thereof, said justices shall commit the parties to the common gaol, to remain without bail or mainprize until they have made a true and perfect account and payment.

allowance to collectors not above 30l. a year;

surveyors 2s 6d. a day, others 15l. each yearly; on default committed.

CVI. *Sect.* 6. It shall be lawful for said surveyors, and such persons as they appoint, to dig, raise, gather, take, and carry away any gravel, furze, sand, stones, or any other materials, out of any waste or common of any parish, town, village, or hamlet, in or near which any founderous or ruinous places of said roads do lie, and for want of sufficient materials there, out of the waste or common of any neighbouring town, village, or hamlet, without paying any thing; and where not sufficient in commons or waste grounds near adjoining, may, by order of trustees, or any five, dig, raise, and gather in the grounds of any person, not a garden, orchard, yard or meadow, planted walk, or avenue to a house, where any such materials are or may be found, and from time to time to carry away such and so much, as said surveyor, adjudge necessary, paying such rate to owner or occupier, as the trustees, or any five adjudge reasonable; and in case of difference between such owner or occupier and said trustees, touching the value, judges of assize, or justices at next general assizes and gaol delivery, or sessions shall adjudge, assess, and finally determine the same.

May raise materials.

CVII. *Sect.* 7. It shall be lawful for said surveyors, and such persons as they appoint, to remove and prevent annoyances, the owner or occupiers neglecting for eight days after notice in writing, under hands of five trustees, the charges whereof shall be reimbursed said surveyors, by such owners or occupiers neglecting; and, if after the removal, any person shall again offend, every such person being convicted upon oath, before one or more justices where such offence committed, for every such offence shall pay ten shillings, levied in manner aforesaid.

Not removing annoyance, penalty, 10s.

CVIII. *Sect.* 8. It shall be lawful for said surveyors, by order of trustees, or any five, to make causeways, and drains through any grounds contiguous, and to erect arches of brick, timber, or stone; and also to widen any of the narrow parts, by opening, clearing, and laying into said roads, any grounds,

Surveyors to make drains, &c.

grounds, not a houſe, garden, orchard, planted walk, or avenue to a houſe: and alſo to cauſe trenches to be made, as ſuch ſurveyors, by order of truſtees, adjudge neceſſary, making reaſonable ſatisfaction for damages, as ſhall be aſſeſſed by next judges of aſſizes, or juſtices of the peace, or major part at next general aſſizes or ſeſſions, in caſe of any difference; and if any owner or occupier of neglect to ſcour or cleanſe water courſes, and to make ditches ſo deep, and in ſuch manner as ſurveyors adjudge proper, after eight days notice, it ſhall be lawful for ſurveyors, to ſet men to work, and by warrant from any five truſtees, to levy the charges upon the perſons, goods, and eſtates of the owners, or occupiers, by diſtreſs and ſale of goods and chattels, rendering the overplus, if any be, to ſaid owner or occupier, after all charges paid.

CIX. *ſect.* 9. In caſe there ſhall be more than one gate or turnpike, on the ſide of ſaid roads, between Ennis and Limerick, no perſon having paid at the firſt turnpike through which ſuch perſon ſhall paſs, and producing a note or ticket, ſhall be liable to pay any toll or duty at any other turnpikes upon the ſide of ſaid road, ſuch perſon or perſons delivering ſuch note or ticket to ſaid receivers or collectors, at the latter turnpike the ſame day; and no perſon, who ſhall return the ſame day, or with the ſame horſe, mare, gelding, aſs, or mule, cattle, coach, chariot, berlin, chaiſe, chair, calaſh, waggon, cart, car or other carriage, ſhall be liable or compellable the ſame day to pay ſaid toll or duty more than once on ſaid road. Toll once a day by ſame perſon.

CX. *ſect.* 10. If any perſon having paid the toll, and having ſuch note or ticket, ſhall give or diſpoſe of the ſame to any perſon to avoid payment, every ſuch perſon giving, diſpoſing, or offering, and perſon receiving, being convicted upon oath of one or more witneſſes, ſhall reſpectively forfeit ten ſhillings, levied, recovered, and diſpoſed of, as any other penalty or forfeiture is by this act. Paſſing tickets to evade toll, penalty, 10s.

CXI. *ſect.* 11. All coaches and paſſengers on horſeback ſhall paſs and repaſs toll-free, on days on which an election for knight of the ſhire for county of Clare, or citizens for Limerick, or for any burgeſſes to ſerve in parliament for any borough of ſaid county; any thing herein to the contrary notwithſtanding. Election days toll free.

CXII. *ſect.* 12. The ſaid truſtees, or any five or more of them, may compound or agree by the year, or otherwiſe, with any perſon uſing to travel through turnpikes erected in purſuance of this act. Truſtees may compound.

CXIII. *ſect.* 13. No perſon ſhall be charged with any of ſaid tolls, for paſſing through any of ſaid turnpikes, who ſhall carry any quantity of ſtones, gravel, or other materials for repairing ſaid roads, or any of the roads in ſaid pariſhes in which the ſame lie, or any of the neighbouring pariſhes, nor for any carts, cars, or waggons, loaded with corn in ſtraw only, nor for any plows, harrows, or other implements of huſbandry, in order to the uſing or repairing of the ſame, in the ſeveral pariſhes in which the ſaid roads do lie; nor for any horſe, mare, or other cattle going to water, or for any poſt-horſe carrying the mail or packet, or for ſuch horſe as uſed only to ride on by owner or driver of any carriage, provided ſuch horſe paſs through ſaid turnpikes with ſuch carriage; nor for horſes of ſoldiers upon march, or for carriages travelling with vagrants ſent by paſſes, or with priſoners committed from one part of the kingdom to another. Perſons exempted.

CXIV. *ſect.* 14. The toll or duty hereby granted, ſhall take place, and have continuance only from firſt of June next, for forty-one years. Continued 41 years.

CXV. *ſect.*

Unleſs adjudication of truſtees.

CXV. *ſect.* 15. If before expiration of ſaid forty-one years, all parts of ſaid road ſufficiently amended and repaired, and ſo adjudged by truſtees, under their hands and ſeals, then, ſaid tolls and duties ſhall ceaſe and determine; any thing herein to the contrary notwithſtanding.

Meeting of truſtees;

CXVI. *ſect.* 16. Said truſtees, or any ſeven or more, ſhall meet at Ennis on the laſt Monday in May next, and then adjourn, and afterwards meet there, or at any other place near ſaid roads, as ſaid truſtees or any five think proper, as often as neceſſary, for putting this act in execution. And if there ſhall not appear at any meeting, a ſufficient number to act and to adjourn, the clerk, ſhall, by notice in writing, affixed at the turnpikes at leaſt ten days before ſaid meeting, appoint ſaid truſtees to meet at the houſe where meeting laſt appointed, or at ſome other convenient houſe near ſaid roads, on the day fortnight next after the day upon which ſaid laſt meeting was appointed; and ſaid truſtees, at all meetings, ſhall defray their own charges and expences.

bear their own charges.

Not to accept of place of profit.

CXVII. *ſect.* 17. No truſtee ſhall have or accept of any profit ariſing out or by reaſon of ſaid toll or duty, but ſhall be incapable, after ſuch time of acting as a truſtee.

Actions laid in Clare or Limerick;

general iſſue, &c.

CXVIII. *ſect.* 18. If any ſuit commenced for any thing done in purſuance of this act, the action ſhall be laid in county of Clare or city of Limerick, and not elſewhere; and defendants may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial; and if it appear ſo done, or ſuch action brought in any other county, the jury ſhall find for defendants; and upon ſuch verdict, or if plaintiff non-ſuited, or diſcontinue action after defendants appeared, or if any demurrer or judgment given againſt plaintiff, defendants ſhall recover treble coſts, and have like remedy as any defendants have in other caſes by law.

treble coſts to defendants.

A publick act.

CXIX. *ſect.* 19. This act deemed a publick act, and judicially taken notice of ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading.

Truſtees named with thoſe in 9 G. 2. c. 19.

9 may lay out a new line.

CXX. *Stat.* 13 & 14 *Geo.* 3. *cap.* 36. *ſect.* 1. The perſons named ſhall be truſtees, from time to time, together with the truſtees named in or by virtue of the former act, to carry this act into execution; and it ſhall be lawful for ſaid truſtees of ſaid turnpike road, or any nine or more, in caſe they ſhall be enabled by the tolls of ſaid road, and that the ſame ſhall appear to them to be an improvement, and advantage to the publick, to lay out a new line from Market-hill north-eaſt of the old turnpike, and to carry on the ſame ſo as it may fall into the old turnpike road near the church of Mulliglaſs on the north-weſt thereof, as they may judge will beſt anſwer the ſafety of carriages and travellers, and to lay out the ſame thirty feet wide in the clear, and to aſcertain the grounds through which the ſame ſhall paſs, with ſuch reſtrictions and exceptions as ſhall prevent ſuch new road from doing a real injury to any perſon, and with ſuch proviſoes and clauſes for ſecuring to owners of any grounds, through which ſuch new road ſhall be carried, a ſatisfaction and recompence proportioned to any loſs.

Stop old road.

CXXI. *ſect.* 2. Said truſtees, or any nine or more, where they find any part of ſaid old road uſeleſs and neceſſary, may order ſuch part to be ſtopped up, as ſoon as ſuch new road ſhall be finiſhed and opened for uſe of the publick; and where the inheritance of the ground of ſuch part of ſaid old road to be ſtopped up, and of the new road to be opened, belong to the ſame perſon

to

to give up ſuch part of the ſaid old road, in lieu and exchange of the new part, with ſuch other ſatisfaction as thought reaſonable by ſaid truſteees.

CXXII. *ſect.* 3. Said truſtees ſhall take for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by ſix horſes, geldings, or mares, one ſhilling, over and above one ſhilling and ſix pence appointed by ſaid act; for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by any leſſer number of horſes, geldings, or mares than ſix, or more than two, ſix pence over and above one ſhilling to be paid by ſaid act; and drawn by two horſes, geldings, or mares, ſix pence over and above ſix pence to be paid by ſaid act; for every cart or other carriage drawn with two horſes, geldings, or mares, four pence over and above four pence to be paid by ſaid act; for every chair with one horſe, mare, or gelding, three pence over and above three pence to be paid by ſaid act; for every car or other carriage drawn but by one horſe, mare, or gelding, one halfpenny over and above one halfpenny to be paid by ſaid act; provided every waggon, wain, cart, or carriage with four wheels, the fellows of which, ſhod with iron and flat-headed nails, ſhall be nine inches broad, inſtead of paying ten ſhillings directed by ſaid act, ſhall pay only ſix pence; and every wain, cart, or carriage with two wheels, the fellows of which, ſhod with iron and flat-headed nails, ſhall be nine inches broad, drawn by more than two horſes, mares, geldings, or oxen, inſtead of paying two ſhillings and ſix pence directed by ſaid act, ſhall pay only three pence. The toll.

CXXIII. *ſect.* 4. And whereas by ſaid act, all coaches and paſſengers on horſe-back, ſhall paſs and re-paſs toll free on days on which there ſhall be an election for knight of the ſhire for the county of Armagh, or for any burgeſs for any borough in ſaid county, the ſaid clauſe is hereby repealed and made void. 9 G. 3. c. 19. ſ. 19. repealed.

CXXIV. *ſect.* 5. The ſaid act of 9 G. 2. with ſuch variations as made therein by this preſent act, and alſo this act, ſhall be and continue in force forty-one years from the expiration of ſaid act. This and ſaid act continued 41 years.

CXXV. *Stat.* 13 & 14 *Geo.* 3 *cap.* 39. *ſect.* 1. The acts in the fifth and ſeventh years of George the ſecond, except what hereby repealed, altered, or explained, ſhall be of full force, commence, and take effect, and continue and be executed from the laſt day of this ſeſſion, for the further term of twenty-one years, and from thence to the end of the then next ſeſſion, for the intents and purpoſes in ſaid acts, and herein after mentioned. 5 G. 2. c. 16. & 7 G. 2. c. 21. except as altered, continued 21 years, &c.

CXXVI. *ſect.* 2. The tolls payable by ſaid act of the ſeventh of his late majeſty, in lieu of the tolls payable by ſaid act of the fifth year, ſhall be the only tolls and duties, which, in virtue of ſaid former acts, or either, ſhall be taken during continuance of ſaid acts, and of this act. Tolls as by 7 G. 2. c. 21.

CXXVII. *ſect* 3. Truſtees for putting ſaid former acts and this act in execution, and all the powers and authorities therein and herein given, and on the deaths of any of ſaid truſtees, or refuſal to act, the reſt of ſaid truſtees, or any ſeven or more, to elect or appoint in the room of ſuch, ſo many more fit and able perſons, living in county of Dublin, county of city of Dublin, and counties of Kildare, Meath, and Weſtmeath, to be joined with them in execution of ſaid acts, and of this act, do, and ſo from time to time, as often as there ſhall be occaſion. Truſtees appointed.

CXXVIII. *ſect.* 4. It ſhall be lawful for ſurveyors, or ſuch perſons as they appoint, by order of ſaid truſtees, or any five or more, where not ſufficient materials for repairing ſaid road, to be had in any common or waſte Surveyors to raiſe materials.

ground

ground adjoining, to dig, raiſe, and gather the ſame in grounds of any perſons, not deer-park, or a field incloſed with a wall five feet high, or more, built with lime and ſtone, or bricks, or a garden planted with trees, or orchard of ſix years growth, of any perſon who inhabits an houſe built with lime and ſtones, or bricks, or the planted walk or walks, or yard to any houſe built with lime and ſtone, or bricks, where any ſuch materials are or may be found, and to carry away as ſaid ſurveyors judge neceſſary, paying ſuch rate to owner or occupier of the ground carried away, as the ſaid truſtees, or any ſeven or more, at a general board, adjudge reaſonable: and in caſe of any difference touching value of the materials and damage, the judges of aſſizes, or juſtices at next general aſſizes or ſeſſions, ſhall aſſeſs, and finally determine the ſame, upon a petition preferred; and where damages ſo agreed upon or aſſeſſed, and have been or ſhall be ſo paid by ſaid truſtees, it ſhall be lawful for ſurveyors, or ſuch perſons as they appoint, by order of ſaid truſtees, or any five or more, to dig, and carry away neceſſary materials for repairs of ſaid road in ſuch grounds where gravel and other materials were before ſo taken and paid for, during the continuance of the eſtate therein of ſuch owner or occupiers, or of any perſons claiming or deriving by, from, or under them, or any of them; and that notwithſtanding any manner of incloſures of, or buildings hereafter to be erected in or upon ſuch grounds, paying damages in manner aforeſaid.

7 may make footpath between Dublin and Leixlip;

120l. thereon.

CXXIX. *ſect.* 5. It ſhall be lawful for ſaid truſtees, or any ſeven or more, at a general board, when to them it ſhall ſeem fit, to make, lay out, and conſtruct, a foot-path from Dublin to Leixlip, or any part or parts thereof; provided the ſum expended in making and forming ſaid foot-path, ſhall not in the whole exceed one hundred and twenty pounds, being, as computed, at the rate of one ſhilling by the perch, and no more; to be paid out of the money ariſing from the ſeveral tolls.

firſt paying creditors intereſt, and if remainder ſufficient for repair.

CXXX. *ſect.* 6. And provided, that intereſt due to creditors of ſaid road firſt paid and diſcharged; and that there alſo remain a ſufficient ſum, part of ſaid tolls, in hands of truſtees, to amend and keep in intire and thorough repair ſaid highroad and every part.

5 G. 2 c. 16. ſ. 12. repealed.

CXXXI. *ſect.* 7. Whereas by ſaid act of fifth of his late majeſty, "all "coaches and paſſengers ſhall paſs toll-free on days on which an election "for a knight of the ſhire, or for any burgeſs;" the ſaid clauſe is henceforth repealed and made void to all intents and purpoſes whatſoever.

Allowance to clerk 30l. yearly;

CXXXII. *ſect.* 8. Said truſtees of ſaid Kinnegad road, or any ſeven or more, at a general board, ſhall out of the money from ſuch tolls and duties, make ſuch allowance to the clerk or regiſter, treaſurer, and ſurveyors of ſaid road, or appoint ſuch ſalaries, as to ſaid truſtees, or any ſeven or more, ſhall ſeem good; ſo as ſuch ſalary for ſuch clerk or regiſter ſhall not exceed yearly thirty pounds, and for ſuch treaſurer the yearly ſum of fifty pounds, and for ſuch ſurveyor or ſurveyors thirty pounds.

treaſurer 50l.
ſurveyors 30l.
5 G. 2. c. 15.
7 G. 2. c. 21.
23 G. 2. c. 16.
5 G. 3. c. 14 continued during this act, ſave as altered.

CXXXIII. *ſect.* 9. The acts fifth, ſeventh, and twenty-third of George the ſecond, as alſo one other act ſixth of his preſent majeſty, except what hereby repealed, altered, or explained, ſhall continue, be executed, and obſerved by ſaid truſtees and their ſucceſſors, during continuance of this act.

Treaſurers ſalaries 30l. a year each.

CXXXIV. *ſect.* 10. It ſhall be lawful for grand juries of Weſtmeath and King's county to encreaſe the ſalaries of the treaſurers of ſaid counties reſpectively, to a ſum not exceeding thirty pounds a year in the whole for each of ſaid treaſurers.

CXXXV. *ſect.*

## Highways.

CXXXV. *sect.* 11. The tolls paid at the ſeveral gates erected in purſuance of this act within ten miles of Dublin, or the rents reſerved under leaſes by ſaid truſtees of ſaid gates or tolls, within aforeſaid diſtance of ſaid city, ſhall be applied, firſt to repair the parts of the road next adjoining to ſaid gates reſpectively, and ſuch parts as neareſt to ſaid gates, before the remote parts repaired; and the repairs ſhall be carried on from time to time as aforeſaid, according to the diſtance of the parts to be repaired from ſaid gates reſpectively.

Tolls within ten miles of Dublin applied, firſt to the neareſt parts.

CXXXVI. *ſect.* 12. This act deemed a publick act, and judicially taken notice of as ſuch by all judges, juſtices, and all other perſons whatſoever, without ſpecially pleading.

A publick act.

## Hoſpitals.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 17. *ſect.* 1. Whereas by an act the eleventh and twelfth of his preſent majeſty, every poor child, under ſix years, found or taken up within the city or liberties, or ſent to the foundling-hoſpital, ſhall be received and kept therein, or ſent to nurſe therefrom; and all children, who ſhall appear to be ſix years old, and whoſe age ſhall not be thought to exceed eight years, and ſhall be preſented to the governors of ſaid hoſpital, ſhall be by them received; provided there ſhall be proper room, and ſuch children appear ſound in mind and body: and whereas the number of children of ſix years old and under have of late years increaſed ſo far beyond the expectation of the governors, that the expence of ſupporting them has exceeded every proviſion that could be made, excluſive of grants of parliament; therefore that the funds for ſupport of the foundling hoſpital and workhouſe ſhall be applied to the proper uſe, after the 24th of June 1774, there ſhall not be received into ſaid hoſpital, or ſent to nurſe therefrom, any child, who ſhall appear to be of the age of three years old, and upwards, upon any account whatſoever; any law to the contrary notwithſtanding.

Recital 11 & 12 G. 3. c. 14. ſect. 17.

Children 3 years old not received or ſent to nurſe from the foundling-hoſpital.

II. *ſect.* 2. After the 24th of June 1774, to the 24th of June 1776 inclusive, and no longer, there ſhall be raiſed, collected, levied, and paid, from and upon every houſe in the city of Dublin and liberties thereof, of the value of ten pounds yearly and upwards, according to valuation for miniſter's money, four pence in the pound yearly, over and above the ſums now payable thereout; the ſame to be paid by half-yearly payments; four hundred pounds yearly of the produce thereof to be paid into the treaſury to uſe of his majeſty, his heirs and ſucceſſors, and the ſurplus to the governors, towards ſupport of ſaid foundling hoſpital and workhouſe.

From 24 June 1774 to 24 June 1776, every houſe in Dublin or liberties of 10l. yearly, as rated for miniſter's money, to pay additional 4 d. per £. half-yearly, 400l. yearly to his majeſty's uſe, ſurplus to hoſpital.

III. *ſect.* 3. The ſix pence *per* pound, and all other fees payable to vide-treaſurers, paymaſter or receiver-general, upon iſſuing or payment of ſaid four hundred pounds yearly, or of any part thereof, ſhall be received for uſe of his majeſty, his heirs, and ſucceſſors, during the term aforeſaid, and duly accounted for, as a further and additional aid hereby given and granted.

Fees received and accounted for as a further aid.

IV. *ſect.* 4. The duty on houſes hereby granted, ſhall be raiſed, anſwered, collected, and paid, unto the governors of ſaid hoſpital, during the term aforeſaid, at ſame time, in like manner, and by ſuch ways, means, and methods, and for ſuch purpoſes, ſave only as to ſaid four hundred pounds yearly, as appointed and directed by laws now in force, relating to ſaid foundling hoſpital and workhouſe, as fully and effectually to all intents and purpoſes, as if particularly expreſſed in this act.

Said duty on houſes raiſed and paid (except the 400l yearly), as by the laws in force for ſaid hoſpital and workhouſe.

Notwithſtanding 11 & 12 G. 3. c. 11. ſ. 21, carts, &c. may be brought into Dublin with materials for building or paving, not for ſale or hire, without licence.

V. *ſect.* 5. Whereas by an act eleventh and twelfth of his preſent majeſty, *for better regulating the foundling hoſpital and workhouſe in the city of Dublin*, the governors of ſaid hoſpital have power to licence ſuch perſons as drive any carriage, that ſhall bring into ſaid city or liberties, for hire or ſale, or otherwiſe, any materials employed in building or paving: and it is inconvenient that carriages, not employed for ſale or hire, ſhould be obliged to take out licences, it ſhall be lawful for any perſon whatſoever, who ſhall have any cart, car, or other carriage, employed in bringing into ſaid city any bricks, ſtones, ſand, gravel, lime, or other materials uſually employed in building or paving, for their own uſe, and not for ſale or hire, to uſe the ſame in manner aforeſaid, without taking any licence whatſoever; any thing in the recited act notwithſtanding.

Leitrim infirmary at Mohill, as if at Carrick, purſuant to 5 G. 3. c. 20.

VI. *Stat.* 13 & 14 *Geo.* 3. *cap.* 42. *ſect.* 4. Whereas a perpetual leaſe of two acres, at a pepper-corn rent, have been granted in Mohill in county of Leitrim, for erecting an infirmary; the governors of the hoſpital or infirmary of the county of Leitrim may accept of the grant of ſaid leaſe, and upon the ground granted erect an infirmary or hoſpital, which ſhall be deemed the hoſpital or infirmary of county of Leitrim; and the ſaid infirmary, and governors thereof, for ever hereafter, ſubject to ſame government and regulations, and have and enjoy all ſame powers, rights, immunities, privileges, gifts, grants, benefits, and emoluments whatſoever, as fully, by virtue of the recited ſtatute, or otherwiſe, as if erected in Carrick-upon-Shannon, or within one mile of the court-houſe therein; any thing in ſaid ſtatute to the contrary notwithſtanding.

Meath hoſpital the county of Dublin infirmary, as by 5 G. 3. c. 20.

VII. *Stat.* 13 & 14 *Geo.* 3. *cap.* 43. *ſect.* 1. Whereas an act paſſed in the fifth of his preſent majeſty, *for erecting publick infirmaries*, and the county of Dublin by miſtake hath not been provided for; the Meath hoſpital ſhall after the 24th of June 1774, be created, and founded, erected, and eſtabliſhed the hoſpital or infirmary for ſaid county, and be for ever hereafter deemed and conſidered, to all intents, the hoſpital for ſaid county, to be endowed with, and intitled to all emoluments, rights, liberties, privileges, and advantages, as fully and effectually as any other county-hoſpital, in and by ſaid act provided for and mentioned.

The 100l. a year for the phyſician and ſurgeon appropriated to the general fund, the preſent phyſicians and ſurgeons continued with power to elect.

VIII. *ſect.* 2. The annual ſalary of one hundred pounds, uſually granted to the phyſician and ſurgeon, paid and appropriated to the maintenance and general fund for neceſſaries in ſaid hoſpital; and in all other reſpects ſaid hoſpital ſhall be ſubject to like rules and regulations, as other county-hoſpitals in ſaid act; ſave only, that the preſent phyſicians and chirurgeons of ſaid Meath hoſpital ſhall be appointed phyſicians and chirurgeons of ſaid intended infirmary for county of Dublick: and that it may be lawful for ſaid phyſicians and chirurgeons, or a majority, to elect a phyſician or chirurgeon in the room of any who from time to time, by death, removal, or otherwiſe, ſhall make a vacancy in ſaid hoſpital, in conſideration of their having ſerved ſaid hoſpital *gratis* theſe ſeventeen years paſt, and having had a principal ſhare in ſupport thereof during that period, and in erecting ſaid building, as well as the relinquiſhing, in behalf of themſelves and their ſucceſſors in ſaid hoſpital, all claim or title to the annual ſalary of one hundred pounds, which they otherwiſe would be intitled to in conſequence of ſaid act; any thing heretofore, or in ſaid act to the contrary notwithſtanding.

# Infants.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 24. *ſect.* 1 Whereas an act paſſed laſt ſeſſion for relief of poor infants, deſerted by their parents, the proviſion of which extend only to pariſhes within cities: and it is reaſonable, that other pariſhes, as well as thoſe, be obliged to maintain ſuch poor children in every pariſh (except in cities of Dublin and Cork, for which proviſion is made by particular acts of parliament) a veſtry ſhall be held annually, at ſuch time, by ſuch perſons, and regulations, and inveſted with ſuch powers, as is directed by ſaid firſt act with reſpect to pariſhes within cities; and the overſeers in ſuch pariſhes reſpectively ſhall take up and provide for the maintenance and education of all ſuch children, as ſhall be deſerted and expoſed within their reſpective pariſhes, at the age of twelve months or under, ſubject to the reſtrictions in ſaid firſt act; and ſuch ſums, as neceſſary for purpoſes aforeſaid, ſhall be raiſed upon the reſpective pariſhes in ſame manner, and with ſuch remedies, as other pariſh ceſſes.

11 & 12 G. 3. c. 15. In every pariſh, except in Dublin and Cork, annual veſtries with powers as by 11 & 12 G. 3. c. 15. as to pariſhes in cities; overſeers to take up and provide for deſerted and expoſed children of 12 months or under as by ſaid act; money raiſed as other pariſh ceſſes.

II. *ſect.* 2. So much of ſaid firſt act, as directs, that the ſums raiſed in purſuance, ſhall be aſſeſſed upon inhabitants of the ſeveral houſes within ſuch cities reſpectively according to miniſter's money payable out of ſuch houſes, repealed, and ſuch ſums ſhall be aſſeſſed by the perſons, and in manner therein directed, upon inhabitants of the ſeveral houſes within ſuch cities reſpectively according to value of ſuch houſes reſpectively.

11 & 12 G. 3. c. 15. repealed as to aſſeſſment by miniſter's money, aſſeſſed on houſes by value.

III. *ſect.* 3. If any pariſh refuſe or neglect to raiſe ſuch ſums, as neceſſary for the purpoſes of this or ſaid act, it ſhall be lawful for next judges of aſſize, or one of them, upon complaint by the miniſter or curate of ſuch pariſh (which complaint ſuch miniſter or curate is required to make) of ſuch refuſal or neglect, to order ſuch ſum to be raiſed on ſuch pariſh, as he or they think fit, ſo as the ſame do not exceed five pounds for each child left expoſed and deſerted in ſuch pariſh of the age of twelve months or under; and the ſums, ſo directed to be raiſed, ſhall be aſſeſſed and levied upon ſuch pariſh by the perſons, in manner, and with like remedies, as money preſented by grand juries; and the ſums ſo levied ſhall be paid to the miniſter or curate, and by him applied to the purpoſes of the ſaid act; and the judges of aſſize, to whom ſuch complaint made, are impowered and required to examine upon oath touching the matter of ſuch complaint.

On complaint by miniſter of neglect by pariſh ordered by judges of aſſize to be raiſed, not above 5l. each child; levied as preſentments; paid to miniſter for purpoſes of ſaid act, complaint examined on oath.

IV. *ſect.* 4. If any overſeer appointed in purſuance of this or ſaid act, refuſe or neglect to execute ſaid office, he ſhall forfeit for every ſuch offence, ten pounds, by civil bill in name of the miniſter or curate of ſuch pariſh, with full coſts of ſuit; and the ſum ſo recovered ſhall be applied towards maintenance and education of the deſerted children in ſuch pariſh.

Overſeers neglecting forfeit 10l. by civil bill with full coſts; applied for the children.

V. *ſect.* 7. If any action or ſuit againſt any perſon, for any thing done in purſuance of this or of the two acts herein mentioned, the defendant may plead the general iſſue, and give the ſpecial matter in evidence; and this act deemed a publick act, and judicially taken notice of as ſuch.

General iſſue and ſpecial matter in evidence; a publick act.

# Inland Navigation.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 12. *ſect.* 1. The ſeveral duties and impoſitions in and by the act granted to his majeſty George the ſecond, and chargeable in the manner therein mentioned, further granted and continued, raiſed, levied and paid unto his majeſty, his heirs and ſucceſſors, for thirty-two years,

27 G. 2. c. 3. 3 G. 3. c. 6. 11 & 12 G. 3. c. 26. continued 32 years from 25 Dec. 1782.

years, from the 25th of December 1782, and no longer, in and throughout that part of the diſtrict of Liſburn, commonly known and diſtinguiſhed by the gauger's walks of Belfaſt, Liſburne, Moira, and Hillſborough, including ſuch parts or parcels of the manors of Kilwarlin Caſtlereagh, and Slotneats, as were contained in ſaid act of the twenty-ſeventh year of George the ſecond, but excepted in the act of the third of George the third; and all ſaid additional duties ſhall be levied and collected in the manner and by ſuch ways and means, as appointed by ſaid act the twenty-ſeventh of his late majeſty, and the ſaid act, and alſo ſaid acts of the third, and of the eleventh and twelfth of his preſent majeſty, and every clauſe or article in ſaid acts, or any of them, ſave as altered by this act, ſhall remain and continue in full force for thirty-two years, from the 25th of December 1782.

Said duties, as brought into exchequer, paid without deduction upon draughts of 7 local commiſſioners;

II. *ſect.* 2. Said additional duties, as they ſhall from time to time be brought into the exchequer, ſhall be paid over without any fee or deduction by vice-treaſurer or receiver-general, upon an order or draught, ſigned by the perſons, who are by the commiſſioners for promoting and carrying on an inland navigation in Ireland appointed to be local commiſſioners for carrying on ſaid navigation of the river Lagan, or to be ſigned by any ſeven of them, or by any ſeven of the perſons who may hereafter be choſen or appointed in their room, or in the room of any of them, or who may by ſubſcribing one hundred pounds in manner herein after mentioned, become local commiſſioners for carrying on ſaid navigation; and all monies, ſo ariſing from ſaid additional duties, ſhall be laid out or expended by ſaid commiſſioners, or their order, in compleating the ſaid navigation now carrying on from Liſburn, through Blairs to Spencer's-Bridge, and from thence to Loughneagh, and paying ſuch money and the intereſt thereof, as ſhall be borrowed for that purpoſe.

laid out on the navigation, &c.

7 local commiſſioners may aſſign duties and tolls for payment of 10,000l.

III. *ſect.* 3. The local commiſſioners, or perſons hereafter choſen and appointed local commiſſioners, or any ſeven or more, are hereby impowered from time to time, to aſſign over ſaid duties granted by ſaid acts, or this act, and alſo all ſuch tolls as ſhall or may ariſe from conveyance of any timber, goods, and merchandizes through or along ſaid navigation, for ſecuring repayment of any ſums, not exceeding in the whole ten thouſand pounds, which they may be enabled to borrow, and the payment of the intereſt thereof, in ſuch manner and form as herein after mentioned and appointed, that is to ſay, ſaid local commiſſioners, or any ſeven or more, or any ſeven or more of the perſons hereafter choſen or appointed local commiſſioners for ſaid navigation, ſhall and may at all times hereafter at any of their ſtated or publick meetings by any inſtruments, or writings in nature of debentures, or in ſuch form as ſhall be agreed upon and approved of by them, and the perſons advancing their money, under their reſpective hands and ſeals, aſſign over ſaid duties and tolls, or order or appoint the ſame, or ſo much thereof as ſufficient for that purpoſe, to be paid for any term or time during continuance of this act, as a ſecurity for any money to be borrowed by them for the purpoſe aforeſaid, to ſuch perſons, or their truſtees, as ſhall advance and lend the ſame, to the intent and purpoſe, that ſuch perſons, or their truſtees, or executors, adminiſtrators, or aſſigns, ſhall and may be paid and receive thereout ſuch yearly intereſt, not exceeding the legal intereſt, as ſhall be agreed upon by ſaid commiſſioners and ſaid perſons, for the ſums ſo to be advanced by them, from the time of advancing the ſame, unto the end and expira-

by debentures at ſtated meetings agreed on with lenders;

with intereſt not exceeding the legal;

tion

tion of twenty years, from the 25th of December 1773, and from thence-forth during the continuance of this act, until they ſhall be repaid their ſaid principal ſums; and after the expiration of twenty years, ſuch perſon or perſons, his, her, or their truſtees, executors, adminiſtrators, or aſſigns, ſhall and may, after application of ſo much of ſaid tolls and duties as ſhall be neceſſary to pay off and diſcharge the intereſt of all principal ſums, not exceeding in the whole ten thouſand pounds, which ſhall be due thereupon, out of the remainder of ſuch tolls and duties, be paid and receive five hundred pounds annually, in addition to the yearly ſum or ſums which for ſaid term of twenty years will be neceſſary to pay off the intereſt of ſaid principal ſums; but after ſaid term, as the ſaid principal ſums ſhall be paid off, it is meant ſhould go in aid of ſaid annual ſum of five hundred pounds, in diſcharge of the principal ſums due, and in acceleration of the payment thereof, ſuch annual ſum of five hundred pounds, and ſuch yearly ſums, as by diſcharge of any principal ſums ſhall not be wanting to pay the intereſt thereof, to be applied in diſcharge of the principal ſum or ſums remaining due to ſuch perſon or perſons, their truſtees, executors, adminiſtrators, or aſſigns, according to the priority and order in which ſaid principal ſums lent and advanced.

for 20 years from 25 Dec. 1773.

500l. annually in addition;

payment of principal in priority and order.

IV. *ſect.* 4. Nothing in this act ſhall in any ſort interfere with or prejudice the demands of any creditors, who may have advanced any money on any ſecurity granted purſuant to ſaid act of the eleventh and twelfth of his preſent majeſty.

Creditors under 11 & 12 G. 3. c. 26. not prejudiced.

V. *ſect.* 5. And for encouragement of lending money, and making a more certain ſecurity, all ſuch aſſignments or debentures, executed and given as aforeſaid, for ſums lent and advanced, ſhall be regularly and carefully entered by the clerk or regiſter of ſaid commiſſioners in a book kept by him for that purpoſe in numerical order according to the time and priority, in which the ſame ſhall have been executed and granted, and to which book all ſaid creditors ſhall at reaſonable times have acceſs; and ſaid clerk or regiſter ſhall indorſe upon every of ſaid aſſignments or debentures the number, according to which the ſame ſhall have been entered in ſaid book, and ſubſcribe his name under ſuch indorſement.

Debentures regiſtered numerically;

acceſs to creditors;

number indorſed, ſubſcribed by clerk.

VI. *ſect.* 6. The collector within the ſaid diſtrict, who ſhall collect ſaid duties, and the treaſurer to ſaid local commiſſioners, into whoſe hands ſaid tolls ſhall be paid, ſhall out of the firſt of ſaid duties and tolls, which ſhall come reſpectively into their hands, pay and diſcharge half-yearly, as the ſame become due, all intereſt due to ſaid creditors reſpectively, according to and in ſuch order as it ſhall appear to ſuch collector or treaſurer from ſuch indorſements, that the ſame have been granted; and after the expiration of twenty years from the 25th of December, 1773, until which time it is not hereby intended the ſaid commiſſioners ſhall be compelled to pay any part of ſaid principal ſums, next after payment of intereſt due to ſaid creditors, ſuch collector and treaſurer ſhall pay and apply five hundred pounds yearly, out of ſaid duties and tolls, to the diſcharge and payment of the principal ſums, then due and owing to ſaid creditors, their executors, adminiſtrators, or aſſigns, together with ſo much of ſaid annual ſums as during ſaid twenty years are to be applied to payment of the intereſt of ſaid principal ſums, but afterwards, as ſaid principal ſums ſhall be diſcharged, will not be wanting for payment of the intereſt thereof, according to and in order aforementioned.

Intereſt paid half-yearly by collectors and treaſurers, as by indorſements;

commiſſioners not compelled to pay principal for 20 years from 25 Dec. 1773, afterwards 500l. yearly out of the duties and tolls.

VII. *ſect.*

Receipts by debenture owners allowed vouchers in accounts by collectors or treasurer.

VII. *sect.* 7. Such receipts and acknowledgments, as given by the owners or holders of ſaid debentures for the payment of their intereſt and principal, in order and manner aforeſaid, ſhall be allowed by the treaſurer or vice-treaſurers, or ſaid commiſſioners, as ſufficient vouchers or acquittances to ſuch collector or treaſurer in all accounts, they ſhall furniſh or ſettle, of or concerning the duties and tolls before mentioned.

7 commiſſioners if neceſſary ſhall for 20 years after, paying all intereſt, apply ſaid tolls to the navigation; and after 20 years, and the 500l annually, &c. apply the remainder.

VIII. *ſect.* 8. Said local commiſſioners, or any ſeven or more, or the perſons hereafter appointed local commiſſioners, or any ſeven or more, ſhall and may, if found neceſſary, for twenty years from the 24th of December 1773, after payment of all intereſt due to ſaid creditors, according to order and priority aforeſaid, and not ſooner, apply and expend the remainder of ſaid duties and tolls to the purpoſes of carrying on ſaid navigation; and from the expiration of ſaid twenty years after payment of all intereſt due to ſaid creditors, and of the yearly ſum of five hundred pounds, and ſuch annual ſums as by diſcharge of any principal ſums ſhall not be wanting to pay the intereſt thereof, in diſcharge of the principal ſums remaining due to ſaid creditors, according to the order and priority aforeſaid, and not ſooner, apply and expend the remainder of ſaid duties and tolls in proſecution of ſaid work.

Lender of 100l. a local commiſſioner, while poſſeſſed of debenture;

ſo of aſſignee;

a woman may depute under hand and ſeal;

only one vote.

IX. *ſect.* 9. Every perſon, who ſhall advance or lend one hundred pounds to ſaid local commiſſioners upon ſuch ſecurities as aforeſaid, ſhall thenceforth be and continue a local commiſſioner of ſaid navigation to all intents and purpoſes whatſoever, during ſuch time as he ſhall continue poſſeſſed of ſuch ſecurity or debenture; and any perſon, to whom he ſhall aſſign the ſame, ſhall be and continue to be a local commiſſioner of ſaid navigation during ſuch time as he ſhall continue poſſeſſed of ſuch ſecurity or debenture, to all intents and purpoſes; and if the perſon poſſeſſed of ſuch ſecurity or debenture for one hundred pounds ſhall be a woman, it ſhall be lawful for ſuch woman by writing under her hand and ſeal to appoint and depute ſome fit and proper man to act and vote for her at all meetings of local commiſſioners; and no local commiſſioner, or her repreſentative, ſhall have more than one vote or voice upon any occaſion whatſoever.

Debentures transferable by indorſement, on notice to clerk and entry, viewed on requeſt without fee, ſhall intitle indorſee;

ſo from time to time;

not after in power of aſſignor,

X. *ſect.* 10. Perſons, to whom any aſſignments or debentures given and perfected by this act, may by indorſement transfer the right and benefit of the ſame; and ſuch indorſement upon notice to the clerk or regiſter of ſuch commiſſioners, and entry thereof in the book of orders and proceedings of commiſſioners, and which ſuch clerk or regiſter ſhall upon requeſt without fee or reward make accordingly, and permit to be viewed at uſual hour or time of attendance, ſhall intitle indorſee or aſſignee, his executors, adminiſtrators and aſſigns, to the ſole benefit of the ſums ſo transferred or aſſigned; and the ſaid aſſignments or debentures may in like manner be again transferred or aſſigned by ſuch aſſignees, executors, adminiſtrators, or aſſigns, and ſo from time to time, as often as occaſion ſhall require; and after ſuch aſſignment, it ſhall not be in the power of the perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſame, or the ſums thereby transferred or aſſigned, or any part.

A publick act.

XI. *ſect.* 11. This act ſhall be judged, and taken as a publick act, and judicially taken notice of by all judges, juſtices, and other perſons whatſoever without ſpecially pleading the ſame.

Continued 41 years from 25 Dec. 1773.

XII. *ſect.* 12. This act ſhall continue and be in force for forty-one years, from the 25th of December 1773, and no longer.

XIII. *ſect.*

## Inland Navigation.

XIII. *ſect.* 13. The duties granted by ſaid acts, and this act, within the diſtricts aforeſaid, ſhall ceaſe and determine, as ſoon as other duties within ſaid diſtrict of equal yearly value to ſaid duties on beer and ale ſhall be provided for, and granted by parliament in lieu thereof. Said duties to ceaſe, if other of equal value provided.

XIV. *ſect.* 14. As ſoon as ſaid communication by water between Belfaſt and Loughneagh ſhall be compleated, and all debts borrowed, and expences incurred on account thereof paid off; this act, and every thing therein contained, ſhall ceaſe and determine, and be utterly void to all intents and purpoſes whatſoever. To ceaſe on compleating the work and payment.

## Judgments.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 42. *ſect.* 5. An act third of George the ſecond, *for diſcovery of judgments in the courts*, and every clauſe, article, and thing therein, ſhall be continued and in force for ever. 3 G. 2. c. 7. perpetual.

## Juries.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 41. *ſect.* 1. An act twenty-ninth year of George the ſecond, *for better regulating of juries*, and all clauſes and proviſoes therein, ſhall be revived and continued in force for ever. 29 G. 2. c. 6. perpetual.

## Lace, &c.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 1. *ſect.* 18. No gold or ſilver lace, cambricks or lawns whatſoever (except manufacture of Great Britain) ſhall after the 25th of December 1773 be imported in any ſhip or veſſel whatſoever, under penalty of forfeiture, and treble the value, and of the ſhip or veſſel in which imported, with all her guns, tackle, furniture, ammunition, and apparel; one moiety of which forfeitures ſhall remain to his majeſty, his heirs and ſucceſſors, the other moiety to him or them who ſhall ſeize and ſue, by action, bill, plaint, or information in the exchequer, wherein no wager of law, protection, eſſoign, or other dilatory plea allowed. No gold or ſilver lace, cambrick, or lawn imported, forfeiture with treble value, and the ſhip, &c. to the king and proſecutor.

## Licences.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 8. *ſect.* 14. It ſhall be lawful for the chief commiſſioners of exciſe, or the major part, to iſſue and grant licences for ſelling ſpirits and ſtrong waters by retail in Dublin, and within four miles of the Tholſel, for ſuch ſum, as they in their diſcretion ſhall think fitting and reaſonable under the circumſtances of the caſe; ſo as no licence be granted for leſs than three pounds yearly, nor a greater ſum required or taken than ten pounds yearly; the recited act, or any other law to the contrary notwithſtanding. 7 G. 3. c. 27. ſ. 9, Licences to retail ſpirits or ſtrong waters in Dublin, or 4 miles, not under 3l. nor above 10 l. yearly.

II. *ſect.* 15. If any perſon ſhall after the 24th of June 1774, ſell any wine, brandy, or ſpirits of any kind whatſoever by retail in any houſe, ſhop, or room, or at any fair, aſſizes, or ſeſſions, or other place whatſoever, without a licence or licences firſt had and obtained for the ſelling; the perſon ſo offending ſhall for every offence contrary to the true intent and meaning of this act forfeit a ſum not exceeding five pounds, over and above all other penalties payable for the like offence by any law now in force in this kingdom. Retailing without licence penalty 5l. above all others.

III. *ſect.*

## Licences.

Magiſtrates ſelling not to grant certificates for licence;

III. *Sect.* 16. To prevent inconveniencies from magiſtrates granting certificates partially or corruptly, all magiſtrates, who uſually ſell beer, ale, or ſtrong waters in cities, counties of cities, boroughs, counties of towns, or towns-corporate, ſhall be diſqualified from granting certificates to intitle any perſons to obtain licences for ſelling or retailing the ſame; and any magiſtrate, who ſhall take, or knowingly ſuffer to be taken, any fee or reward for granting a certificate to obtain a licence for ſelling beer, ale, wine, or ſtrong waters, ſhall for every ſuch offence upon being convicted thereof, forfeit fifty pounds, one moiety to his majeſty, the other to informer.

penalty taking rewards 50l. to king and informer.

## Lights.

Recital of 5 G. 3. c. 15. ſ. 11. Veſtries held between 1ſt and 15th of Auguſt yearly;

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 20. *ſect.* 1. Whereas by an act fifth of his preſent majeſty, proviſion is made, that in ſeveral cities therein deſcribed, the pariſhes ſhall, at reſpective veſtries direct all matters relative to erecting lamps and lighting, ſuch veſtries ſhall be held in their reſpective pariſhes on ſome day between the firſt and fifteenth of Auguſt every year; of which previous notice ſhall be given in the uſual manner on the firſt Sunday in Auguſt every year; and ſuch veſtries ſhall have power to adjourn from time to time as judged expedient: provided not for a longer time than twenty days from the day of firſt aſſembling ſuch veſtries reſpectively, excluſive of the day of aſſembling, and the day to which ſuch veſtries adjourned.

notice 1ſt Sunday, power to adjourn, not above 20 days excluſive.

Applotters appointed by veſtries, not above 9, nor under 5, on oath. on inhabited houſes according to value for erecting and lighting lamps; applotments returned, confirmed or altered in veſtries; levied as by 5 G. 3. c. 15. ſ. 2. Not above 10s. a year one houſe, nor under 1s. not above 5s. if a private globe.

II. *Sect.* 2. Said ſeveral pariſhes ſhall at ſaid reſpective veſtries appoint ſuch perſons, not exceeding nine, or leſs than five, as they ſhall think proper; who ſhall upon oath, or affirmation if a quaker, adminiſtered by the reſpective miniſters or curates, applot upon the ſeveral inhabited houſes in their reſpective pariſhes according to value of ſaid houſes reſpectively a juſt proportion of the expence of erecting, lighting, and maintaining ſuch lamps in their reſpective pariſhes; and ſhall with all convenient ſpeed return ſuch applotments to ſaid veſtries, who ſhall confirm or alter the ſame as agreeable to juſtice; and the ſums ſo applotted ſhall be collected and levied by the perſons, and in manner directed by ſaid recited act.

Immediate occupiers rateably charged,

III. *Sect.* 3. The ſum ſo applotted upon one houſe ſhall not for any one year exceed ten ſhillings, or be leſs than one; and in caſe perſons erect before their houſes, and keep lighted at their own expence, a globe or lamp, ſuch houſes ſhall not be charged with more than five ſhillings.

to pay yearly; where different families in ſame houſe, applotters to direct the portions.

IV. *Sect.* 4. The principal immediate occupiers of all ſuch houſes ſhall each and every of them, be rateably charged for themſelves and thoſe deriving under them in each houſe reſpectively, in proportion to ſuch valuation as herein before directed, with the yearly ſum to be paid by him, her, or them for the aforeſaid purpoſes; and ſhall pay the ſame yearly to the perſons appointed to collect; and where different perſons or families reſident in any ſuch houſe deriving under ſeparate intereſts, and not under the other in the ſame houſe, ſaid applotters ſhall direct, what portion of the charge laid on ſaid houſe ſhall be paid out of the ſeveral parts of ſaid houſe reſpectively held by different perſons.

5 G. 3. c. 15. ſ. 12. repealed.

V. *Sect.* 5. So much of ſaid recited act as directs, that ſuch applotments ſhall be made in proportion to the miniſter's money, ſhall be repealed.

Applotters not acting forfeit 5l. to miniſter or curate, by civil bill, with expences;

VI. *Sect.* 6. If any perſon ſo appointed applotter, ſhall refuſe or neglect to act according to the directions before mentioned, every ſuch perſon ſhall forfeit for every ſuch offence five pounds, to be recovered by the miniſter or

curate

curate of ſuch pariſhes reſpectively by civil bill at the aſſizes, together with ſuch ſums as ſuch miniſter or curate ſhall actually expend in ſuch ſuit; and ſuch penalty, when recovered, ſhall be applied to the purpoſes herein before mentioned; and in caſe any of the perſons ſo appointed applotters ſhall die, or refuſe or neglect to act, the ſurviving or other applotters may proceed to applot, and do every other act herein before directed, notwithſtanding ſuch death, neglect, or refuſal, and the ſame ſhall be as effectual, as if all applotters, orignally appointed, had joined.

on death or not acting, the others may act.

VII. *ſect.* 7. If any of ſaid pariſhes neglect to carry the proviſions herein before mentioned effectually into execution on or before the firſt of October in any year, the mayor and common council of ſuch city, in which there ſhall be ſuch neglect, ſhall for that year only, computed from the firſt of Auguſt preceding, be inveſted with all powers hereby and by ſaid recited act veſted in the miniſter or curate, and the pariſh ſo neglecting to execute the ſame, for erecting, lighting, and trimming lamps in ſuch pariſh.

On neglect of the pariſh, the mayor and common council impowered for that year.

VIII. *ſect.* 8. Said recited act, ſo far as not hereby altered, ſhall remain in full force and virtue.

5 G. 3. c. 15. in force where not altered.

IX. *ſect.* 16. The ſeveral proviſions hereby, and by the former act made, ſhall continue in force ſeven years from the firſt of May 1774, and to the end of the then next ſeſſion; and if any ſuit or action commenced againſt any perſon, for what he ſhall do in purſuance thereof, defendant may plead the general iſſue, and give the ſpecial matter in evidence; and if a verdict for defendant, or if the plaintiff nonſuited, the defendant ſhall have and recover treble coſts.

Continuance 7 years, &c.
general iſſue pleaded, treble coſts on nonſuit, &c.

## Lime.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 37. *ſect.* 1. No lime whatſoever ſhall be ſold otherwiſe than by meaſure: and every veſſel, wherein meaſured, ſhall be ſtamped or ſealed by ſome magiſtrate or publick officer of ſome corporate or market-town in the county, where ſaid lime ſhall be meaſured, or the next adjoining county, with the ſtamp or ſeal uſually uſed for ſtamping or ſealing meaſures, and ſhall be of the ſize and dimenſions, and contain the quantities following; every buſhel ſhall be twenty inches diameter in the bottom, and twenty-one in the top at leaſt, and contain eight gallons, each gallon containing two hundred and ſeventy-two cubical inches, and the fourth part of an inch; and every perſon, who ſhall ſell lime otherwiſe than by meaſure, or in any veſſel not ſtamped, and which ſhall not contain the quantity, and be of the ſize and dimenſions aforeſaid, ſhall forfeit for every offence five pounds; recovered by any perſon who ſhall ſue by civil bill, in the manner in which civil bills are allowed to be brought; and in every ſuch ſuit, upon proof made by the perſon ſuing, of the ſale of the lime, it ſhall lie upon the perſon ſued to prove, that ſaid lime ſo ſold was meaſured in a veſſel ſtamped of the contents, ſize, and dimenſions by this act required, fairly and honeſtly filled; and upon failure of proving the ſame, the plaintiff ſhall be decreed to the penalty ſued for.

Lime ſold only by meaſure ſtamped by a magiſtrate;
the buſhel 20 inches at bottom, 21 at top, 8 gallons, each 272 cubical inches and a 4th,
penalty 5l.
by civil bill; proof on vender.

II. *ſect.* 2. Provided no ſuit ſhall be commenced for or by reaſon of any penalty or forfeiture by any offence contrary to this act, unleſs commenced within ſix months next after ſuch offence; and if a decree given againſt the plaintiff, defendant ſhall have double coſts, recovered by civil bill.

Suit in 6 months;
double coſts to defendant.

Recital 3 G. 3. c. 34. cloth ſtolen from bleach-greens, difficult to prove property; lapper's name and reſidence marked at one end of every piece expoſed, or forfeited, and 5l.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 21. *ſect.* 1. Whereas by an act third of his majeſty's reign, for regulation of the linen and hempen manufactures, lappers are to be appointed: and whereas many pieces have lately been ſtolen out of bleach greens, and difficult for the owners to prove property; after the 24th of June, 1774, no perſon ſhall expoſe to ſale any piece or part of a piece of linen or hempen cloth, bleached, or in part bleached, unleſs the name of the lapper, and alſo of the county wherein ſuch lapper ſhall reſide at the time of making ſuch piece, ſhall be marked at one end with vermilion or ſtone-blue and ſize; and if any perſon ſhall expoſe to ſale any piece or part of a piece of linen or hempen cloth, not having ſuch names marked thereon in manner aforeſaid, ſuch perſon ſhall for every ſuch offence forfeit five pounds; to be recovered and diſpoſed of in the ſame manner as is by ſaid act directed with regard to all penalties and forfeitures therein mentioned, not exceeding in value ſix pounds; and alſo ſuch piece or part of a piece of linen or hempen cloth; and if any perſon ſhall counterfeit the name of any lapper, to any piece or part of a piece of linen or hempen cloth, ſuch perſon, being lawfully convicted, ſhall be condemned to ſtand in the pillory, or to be tranſported ſeven years to ſome one of his majeſty's plantations abroad, at the diſcretion of the judge or judges who ſhall try ſuch offence.

counterfeiting lapper's name, pillory or tranſportation 7 years.

No grant by truſtees for a mill, bleach-green, or other work or as a bounty, the fund applied for utenſils, premiums to raiſe flax, attendants, and bounties on ſpecies aſcertained by truſtees.

II. *ſect.* 2. No money ſhall be granted or paid by the truſtees of linen and hempen manufactures for or on account of any mill, bleach-green, or other work to be executed by any individual, or as a bounty to enable him to carry on any branch of the manufacture; but every part of the fund under their direction ſhall be applied in payment of utenſils, of premiums for the raiſing of flax, of the ſeveral officers and ſervants neceſſarily employed by or attending on the ſaid truſtees, or at the linen and yarn halls, and in bounties or premiums on ſuch ſpecies of the manufactures as previouſly aſcertained by ſaid truſtees, and brought to market or exported.

Engagements before 1ſt March 1774, made good.

III. *ſect.* 3. This ſhall not prevent or reſtrain ſaid truſtees from making good any promiſe of engagement entered into by them previous to the firſt of March 1774.

Linen of or above the ſet of 1400l. ell-wide, 47 inches broad when brown, or forfeited.

IV. *ſect.* 4. No perſon ſhall ſell or expoſe to ſale any piece of plain linen cloth, being of, or exceeding the ſet of fourteen hundred, made, or intended to be of the denomination commonly called ell wides, that ſhall not be when brown, and before bleached, forty-ſeven inches broad at leaſt, upon pain of forfeiting ſuch piece.

## Loan.

Recital of 11 & 12 G. 3. c. 2.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 2. *ſect.* 1. Whereas by an act in the eleventh and twelfth years of his majeſty's reign, intituled, *an act for granting to his majeſty the ſeveral duties, rates, impoſitions, and taxes, therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed*; ſeveral aids and additional duties were granted, until the 25th of December 1773, to pay an intereſt for the ſeveral ſums in ſaid act mentioned, or ſo much as ſhould remain unpaid on the 25th of December 1771, to the perſons who lent the ſame, their executors, adminiſtrators, or aſſigns, of four

per

*per centum*, from the 25th of December 1771, without any fee or charge, and free from all deductions whatſoever, until they ſhould be paid their principal: and whereas by ſaid act, for all ſuch further ſums, not exceeding two hundred thouſand pounds, as ſhould be paid at the inſtance of the chief governor, to ſupply ſuch deficiences, as ſhould ariſe in the aids granted in ſaid ſeſſion, there ſhould be paid ſuch intereſt, not exceeding four *per centum*, as ſhould be agreed by the chief governor, until they ſhould be paid their principal at one entire payment: And whereas one hundred thouſand pounds was paid, on or before the 25th of December 1771, and further one hundred thouſand before the 25th of March 1772, making together two hundred thouſand pounds, to carry intereſt at four *per centum*, from the reſpective days of advancing: And whereas the ſeveral aids and duties, granted by ſaid act, have not proved ſufficient to pay ſaid ſeveral principal ſums, and the intereſt, but the greateſt part will remain unpaid on the 25th of December 1773; for ſo much of ſaid ſums, as remain unpaid on the 25th of December 1773, there ſhall be paid at the exchequer, by the vice-treaſurer or paymaſter general, or deputies, at the end of every ſix calendar months, from 25th of December, 1773, to perſons, who have paid or lent the ſame, their executors, adminiſtrators or aſſigns, intereſt at four *per centum*, without any fee or charge, and free from all deductions, defalcations, and abatements, until they ſhall be reſpectively paid their principal at one entire payment.

in purſuance thereof 200000l. advanced at 4 *per cent.*;

aids deficient;

intereſt at 4 *per cent.* for ſo much as unpaid on 25 Dec. 1773;

half yearly, without charge or deduction.

II. *Sect.* 2. And that the intereſt of ſo much of ſaid ſums formerly borrowed, or of ſo much as unpaid, may be duly and regularly paid from the 25th of December 1773, there ſhall be raiſed, levied, granted, collected, and paid to his majeſty, his heirs and ſucceſſors, until the 25th of December 1775 incluſive, and no longer, over and above the rates and duties payable by an act in the fourteenth and fifteenth years of king Charles the ſecond, for the ſettling the exciſe or new impoſt; or by one other act, for ſettling the ſubſidy of poundage, and granting a ſubſidy of tonnage, and other ſums of money unto his royal majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed, and over and above any other duties, rates, impoſitions, and taxes granted to his majeſty by any other act of parliament heretofore enacted, and in force, and any duties, rates, and impoſitions by any other act, or which ſhall be enacted during this preſent ſeſſion, the ſeveral duties, rates, impoſitions, and taxes after mentioned, an additional duty of ſix pounds *per* ton upon all ſorts of wine of growth of France or Spain, and three pounds of the growth of Portugal, and five pounds all other wines imported after the 25th of December 1773; four pounds ſterling *per* pound weight all velvets, or manufactures made of or mixed with ſilk (except thoſe of Great Britain, China, Perſia, and Eaſt-Indies,) one half penny *per* pound all hops imported, five pounds *per centum* all china, earthen, japanned or lacquered ware, as valued or rated for cuſtom by the book of rates, three pounds *per* ton all ſorts of vinegar imported, two pence *per* gallon *aquavitæ*, ſtrong waters and ſpirits, made or diſtilled within this kingdom for ſale, paid by the firſt maker or diſtiller, two pence *per* pound all coffee imported, ten ſhillings *per annum* to be paid by perſons that ſell or tap out by retail any cyder, between the 25th of December 1773, and 25th December 1775 incluſive; one penny *per* gallon all cyder ſold or tapped out by retail, paid by the perſon who ſhall ſell or tap out; twenty ſhillings by every

Additional duties for payment thereof to 25 Dec. 1775;

French and Spaniſh wine 6l. *per* ton; port, 3l. other wines 5l.

velvets, ſilks, except of Great Britain, &c. 4l. *per* lb.

Hops one halfpenny *per* lb.

earthen, japan or lacquered ware 5l. *per cent.* as valued;

vinegar 3l. *per* ton;

ſtrong waters or ſpirits made for ſale 2d. *per* gallon;

coffee 2d. *per* lb.

cyder retailers 10s. *per ann.* and 1s. *per* gallon;

coaches, &c. except hackney, ſtages, and for ſale, 20s. to 25 Dec. 1774, and 20s. to 25 Dec. 1775;

every perſon for every coach, chariot, berlin, or calaſh, or chaiſe with four wheels, which ſuch perſon ſhall keep in his or her poſſeſſion (except hackney and ſtage-coaches, and coaches and ſuch other four wheeled carriages as aforeſaid, kept by coachmakers for ſale,) and alſo, except cabriolets or garden chairs, between the 25th of December 1773, and December 1774 incluſive; twenty ſhillings between the 25th of December 1774, and December 1775 incluſive; twenty ſhillings every ton of ſoap-boylers waſte, and ſo in proportion exported beyond ſeas; three pounds every ton of linen rags, and ſo in proportion, exported beyond ſeas.

ſoap-waſte exported 20s. *per* ton; linen rags 3l. *per* ton. Tea 6d. *per* lb. green, 4d bohea and other tea, in lieu of all cuſtoms and exciſe.

III. *ſect.* 3. For diſcouragement of the pernicious and illegal practice of unlawfully importing and clandeſtinely running and landing tea, from the 25th of December 1773, until the 25th of December 1775 incluſive, there ſhall be paid to his majeſty, his heirs and ſucceſſors, fix pence every pound of green tea, and four pence of black bohea and other tea, imported, in lieu and full ſatisfaction of all duties of cuſtoms and exciſe.

Further additional duties to 25 Dec. 1775; 5l. *per cent.* on goods (except Britiſh) imported, as rated, or by importer's oath.

IV. *ſect.* 4. The further additional duty after mentioned ſhall be raiſed and paid from the 25th of December 1773, to the 25th of December 1775 incluſive; five pounds *per cent.* upon the ſeveral goods and manufactures (not of the growth and produce or manufacture of Great Britain) after named, as the ſame now ſtand rated for cuſtoms, or, if unrated, ſhall be valued on oath of importer, which ſhall be imported, over and above all other duties now payable, *viz.* apparel, apples, bacon and hams, beads of glaſs, chocolate, cocoa nuts, coffee, cork, capers, cloves, currants, cheſnuts, wall-nuts, ſmall-nuts, bugles, hulled barley, artificial flowers, miliinary ware, pearl barley, fans, hats chip and ſtraw, anchovies, ſturgeon, pins, wrought ivory, olives, onions, prints and pictures, mace, nutmegs, wrought incle, drugs (not for dyers uſe) elephants teeth, furs, all lacquered, japanned, gilt, painted, brunzed, and enamelled ware, gloves of all ſorts, almonds, anniſeeds, cinamon, liquoriſh, pepper, piamento, prunes, raiſins, rice, ſaffron, ſuccards, ſuccuſs liquorite, needles, thimbles, outnal threads, filtors thread, china and earthen ware, whited-brown thread, and all other threads, haberdaſhery, hardware, toys, mermits, iron pots, ſciſſars, ſnuff, tiles, ſhot, laces of cotton, thread, worſted, or ſilk, groceries of all kinds (except ſugars) oranges and lemons, lime, lemon and orange juice (not for dyers) tape, foreign linens, and all manufactures of flax and hemp.

Drawback on export by ſubject in 24, ſtrangers in 12, months, on certificate of requiſites performed.

V. *ſect.* 5. If the wines and other merchandizes, upon which the duties hereby charged upon importation, again exported by any merchant ſubject, within twenty-four calendar months, or by ſtrangers within twelve, after importation, and due proofs firſt made by certificate from the proper officers of due entry and payment of ſaid duties, and all other requiſites performed, by law required, where duties of exciſe are to be repaid, the duties hereby impoſed ſhall without delay or reward be repaid or allowed, within one calendar month after demand, or the ſecurity vacated as to ſo much as ſo exported, any thing herein to the contrary notwithſtanding.

Elections to receive for 100l. debentures 4 or 2 of 25l. and 4 of 12l. 10s. each;

VI. *ſect.* 14. Perſons, to whom debentures or receipts of one hundred pounds each given for any part of ſaid principal ſums formerly borrowed, which ſhall remain unpaid on the 25th of December 1773, now carrying intereſt at four *per centum*, their executors, adminiſtrators or aſſigns, ſhall or may at their election or choice receive in exchange from the vice-treaſurer, or paymaſter, or receiver-general, or deputies, either four debentures of twenty-five pounds each, or two debentures of twenty-five each, and four of twelve

twelve pounds ten ſhillings each, as they think proper; ſuch debentures ſo given in exchange to be numbered as the vice-treaſurer, pay-maſter or receiver-general, or deputies think fit, and to bear the ſame rate of intereſt, payable at ſame times, with the debentures ſo exchanged, which are hereby required to be cancelled; and all perſons intitled to any of ſaid debentures of one hundred pounds each, or to any debenture of any leſſer ſum taken in exchange, may by indorſements on ſuch debentures transfer the right and benefit of the ſums due (which indorſements upon notice to the vice-treaſurer or deputies, and an entry or memorial thereof in the office, which ſaid vice-treaſurer or deputies ſhall upon requeſt without charge, fee, or reward make accordingly, and on requeſt permit the ſame to be viewed at uſual office hours without fee or reward) ſhall entitle indorſee or aſſignee, executors, adminiſtrators, or aſſigns, to the ſole benefit of the ſum transferred or aſſigned; and ſaid debentures may in like manner be aſſigned or transferred by ſuch indorſee or aſſignee, executors, adminiſtrators, or aſſigns, and ſo *toties quoties*; and after ſuch aſſignment it ſhall not be in the power of the perſon, who made ſuch aſſignment, to make void, releaſe, or diſcharge ſaid aſſignment, or to diſcharge or receive the ſum transferred or aſſigned, or any part.

numbered by vice-treaſurers;

ſame intereſt and time of payment;

debentures transferred by indorſement;

ſo *toties quoties*;

not after in power of aſſignor;

VII. *ſect.* 15. All the ſeveral additional and other duties and rates hereby granted, other than ſuch as otherwiſe by this act appointed, ſhall be raiſed, anſwered, collected and paid as directed, by ſaid act of the fourteenth and fifteenth of king Charles the ſecond, for the ſettling of the exciſe or new impoſt, or by any other law in force relative to the revenue of exciſe, as fully and effectually as if particularly enacted again in this act, with like remedy of appeal to the party grieved, as by ſaid act of exciſe, or any other law now in being relating to duties of exciſe, is provided.

Said duties levied as by 14 & 15 C. 2. c. 8. or other exciſe laws;

like appeal.

VIII. *ſect.* 19. Neither the ſix pence *per* pound, nor any other fee ſhall be payable to, or deducted or received by the vice-treaſurer, receiver or pay-maſter general, clerk of the pells, or any other officer on account of the iſſuing or payment of any money ariſing by, or received on account of the aids hereby granted, or of any payment in purſuance of this act.

No fees on account of ſaid aids.

IX. *ſect.* 21. So much of ſaid principal ſums formerly borrowed, as unpaid on 25th of December 1775, ſhall be well and truly ſatisfied and paid unto the perſons, their executors, adminiſtrators and aſſigns, to whom then due, with ſuch intereſt as then due at the rate aforeſaid, without any deduction, defalcation, or abatement.

Principal and intereſt due 25 Dec. 1775, paid without any deduction.

IX. *ſect.* 22. After the 25th of December 1773, a ſeparate and diſtinct account ſhall be kept by the proper officer of the aids, duties, and taxes granted by this act, or any other act in force, and appropriated to particular uſes; and the commiſſioners of revenue ſhall return their weekly abſtracts from the collectors to accountant general, *who* ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropaiated to the vice-treaſurer or deputies; and that every collector or receiver of ſaid duties and taxes do take a ſeparate receipt, when paid into his majeſty's treaſury, which the vice-treaſurer or deputies, are to give accordingly.

Separate accounts kept of appropriated duties;

weekly abſtracts returned to accountant general;

ſeparate accounts to vice-treaſurer;

ſeparate receipts given.

## Markets.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 20. *ſect.* 9. And to prevent frauds on making up and ſelling victuals and proviſions in ſuch cities, the ſheriffs of ſuch cities

24 citizens returned to ſeſſions on ſheriffs ſummons,

12 ſworn a market-jury;

cities reſpectively ſhall ſummon and return to juſtices of peace at general quarter ſeſſions for ſuch cities reſpectively, upon a precept iſſued by them for that purpoſe, twenty-four of the citizens, twelve of whom ſhall be ſworn as a market-jury for ſuch cities reſpectively; and the juſtices of ſuch cities ſhall cauſe ſuch market-juries to be ſworn in open court at the ſeſſions one by one, that he will well, truly, and diligently execute the office of a market-juror, in ſuch city, without favour or affection, malice or ill-will, to any perſon whatſoever; and ſaid ſaid market-jury for the time being, or any one or more, are hereby empowered and required at ſeaſonable hours to viſit the markets, ſtore-houſes, working-houſes, cellars, and ſhops in ſuch cities where proviſions or victuals ſold, made up, or making up for ſale; and inſpect the quality of ſuch, or any proviſions or victuals fraudulently or illegally made up; and in caſe ſuch jury, or any one or more, ſhall find any unwholſome or bad proviſions, or victuals fraudulently or illegally made up, in every ſuch caſe ſaid jury are impowered to ſeize ſuch proviſions or victuals, and the perſons expoſing the ſame to ſale, or claiming to be owners, and to carry ſuch proviſions, victuals, and perſons before the mayors of ſuch cities, who are impowered to diſpoſe of ſuch proviſions, victuals, and perſons according to law; and each market-jury ſo ſworn, or any one or more, ſhall have full power and authority to execute ſaid office, from the time of their being ſworn, until the next market-jury ſworn at enſuing general quarter ſeſſions for ſuch cities reſpectively; and if any perſon duly ſummoned and returned by ſuch ſheriffs to ſerve as a market juror, refuſe or neglect to appear purſuant to ſaid ſummons, and take the oath aforeſaid, or to execute ſaid office, it ſhall be lawful for ſuch juſtices at ſeſſions, to impoſe a fine not exceeding ſix pounds on every ſuch perſon; and the mayor of every ſuch city is impowered and required to iſſue warrant for the levying ſuch fine by diſtreſs and ſale of goods and chattles of ſuch perſon; and the ſum ſo levied ſhall be applied to ſuch charities, as ſuch mayor ſhall direct.

jurors ſworn one by one in court;

to viſit at ſeaſonable hours, and inſpect proviſions for ſale;

if unwholſome, or illegal, may ſeize and carry with the owners before the mayor to be diſpoſed according to law;

jury to act till the next ſworn;

juror not appearing or executing fined at ſeſſions not above 6l.

levied by warrant of mayor for ſuch charities as he directs.

II. *ſect.* 10. Such jury, ſo ſworn, or any one or more, ſhall have full power and authority to examine the weight of bread in the ſeveral ſhops or bakehouſes of bakers, and to ſeize ſuch bread as deficient in weight, and to carry the ſame before the mayor, to be diſpoſed of as aforeſaid.

Jury may examine and ſeize bread deficient in weight.

III. *ſect.* 11. Said jury, or any one or more, ſhall have power to examine the ſeveral weights and meaſures in ſuch city, and, if any found deficient in or leſs than the ſtandard weight or meaſure, to ſeize the ſame, and carry to the chief magiſtrate to be diſpoſed of according to law.

And weights and meaſures under ſtandard.

IV. *ſect.* 12. The chief magiſtrate of every ſuch city ſhall publiſh in ſome newſpaper, if any printed in ſuch city, once at leaſt every month, the aſſize of bread, under penalty of five pounds every omiſſion; recovered by civil bill before next judges of aſſize, by any perſon who ſhall ſue, the whole to the informer.

Aſſize of bread advertiſed monthly at leaſt, penalty 5l. by civil bill, to informer.

V. *ſect.* 16. The ſeveral proviſions hereby, and by the former act made, ſhall continue in force ſeven years, from the firſt of May 1774, and to the end of the then next ſeſſion; and if any ſuit or action commenced againſt any perſon, for what he ſhall do in purſuance thereof, defendant may plead the general iſſue, and give the ſpecial matter in evidence; and if a verdict for defendant, or if the plaintiff nonſuited, the defendant ſhall have and recover treble coſts.

Continuance 7 years, &c. general iſſue pleaded; treble coſts on nonſuit, &c.

## Mute.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 16. *ſect.* 1. For the more effectual proceeding againſt perſons ſtanding mute on arraignment for murder, felony, or piracy, if any perſon, after the firſt of June next, being arraigned on any indictment or appeal for murder or felony, or on any indictment for piracy, ſhall, upon ſuch arraignment ſtand mute, or will not anſwer directly to the murder, felony, or piracy, ſuch perſon ſhall be convicted of the murder, felony, or piracy charged in ſuch indictment or appeal; and the court, before whom he or ſhe ſhall be ſo arraigned, ſhall thereupon award judgment and execution againſt ſuch perſon, in the ſame manner as if ſuch perſon had been convicted by verdict or confeſſion of the murder, felony, or piracy, charged in ſuch indictment or appeal; and ſuch judgment ſhall have all the ſame conſequences in every reſpect, as if ſuch perſon had been convicted by verdict or confeſſion of ſuch murder, felony, or piracy, and judgment had been thereupon awarded.

Mute on arraignment for murder, felony, or piracy, or not anſwering directly, convicted, and judgment and execution awarded.

## Nuiſances.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 20. *ſect.* 13. And whereas by recited act proviſion is made to prevent nuiſances in ſtreets and lanes of cities, but offenders therein can be convicted only before the mayors or other magiſtrates, ſuch offenders may be tried and convicted before any alderman of ſuch city, and ſuch trial ſhall be as valid and effectual, as if before the mayor, or other magiſtrate; and ſuch alderman is impowered to examine upon oath for the purpoſe aforeſaid, and to grant warrant under hand and ſeal for levying penalties upon ſuch convictions.

Nuiſances tried before an alderman, who may levy penalties,

II. *ſect.* 14. Where the free paſſage of carts may be obſtructed by ſome narrow paſs or paſſes in back ſtreets and lanes, it ſhall be lawful for grand-juries at aſſizes in ſuch cities, to preſent the ſame as nuiſances, to be removed by the ſheriffs, and to provide by preſentment reaſonable ſatisfaction to the party whoſe intereſt or property affected thereby, for any damage he may ſuſtain by widening ſaid paſſages, ſuch damage aſcertained by a jury impannelled to try the ſame.

Paſſages widened for ſcavenger's carts, on preſentment at aſſizes; removed by ſheriffs, ſatisfaction to parties, aſcertained by jury.

III. *ſect.* 15. Provided no greater ſum ſhall be raiſed by ſuch preſentment at any one aſſizes, exceeding the ſum of thirty-five pounds, nor, in the whole, to exceed one hundred and forty pounds for the purpoſes aforeſaid.

Preſentment not exceeding 35l. nor in the whole 140l.

IV. *ſect.* 16. The ſeveral proviſions hereby, and by the former act made, ſhall continue in force ſeven years, from the firſt of May 1774, and to the end of the then next ſeſſion; and if any ſuit or action commenced againſt any perſon, for what he ſhall do in purſuance thereof, defendant may plead the general iſſue, and give the ſpecial matter in evidence; and if a verdict for defendant, or if the plaintiff nonſuited, the defendant ſhall have and recover treble coſts.

Continuance 7 years, &c. general iſſue pleaded; treble coſts on nonſuit, &c.

## Papiſts.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 35. *ſect.* 1. It ſhall be lawful for any perſon profeſſing the popiſh religion, to go before the judges of king's bench, any juſtice of peace for the county, or before any magiſtrate of any city or town corporate, wherein he does or ſhall reſide, and there take and ſubſcribe the oath of allegiance and declaration herein after mentioned; which oath and declaration

Papiſts may take an oath of allegiance and declaration before B. R. or any juſtice or magiſtrate, where he reſides.

declaration ſuch judges, juſtices of peace, and magiſtrates are hereby enabled and required to adminiſter:

*I A. B. do take Almighty God and his only Son Jeſus Chriſt my Redeemer, to witneſs, That I will be faithful and bear true allegiance to our moſt gracious ſovereign, lord king George the third, and him will defend to the utmoſt of my power againſt all conſpiracies and attempts whatever, that ſhall be made againſt his perſon, crown, and dignity; and I will do my utmoſt endeavour to diſcloſe and make known to his majeſty, and his heirs, all treaſons and traiterous conſpiracies which may be formed againſt him or them; and I do faithfully promiſe, to maintain, ſupport, and defend, to the utmoſt of my power, the ſucceſſion of the crown in his majeſty's family, againſt any perſon or perſons whatſoever; hereby utterly renouncing and abjuring any obedience or allegiance unto the perſon taking upon himſelf the ſtile and title of prince of Wales in the lifetime of his father, and who ſince his death is ſaid to have aſſumed the ſtile and title of king of Great Britain and Ireland, by the name of Charles the third, and to any other perſon claiming or pretending a right to the crown of theſe realms; and I do ſwear, that I do reject and deteſt, as unchriſtian and impious to believe, that it is lawful to murder or deſtroy any perſon or perſons whatſoever, for or under pretence of their being hereticks; and alſo that unchriſtian and impious principle, that no faith is to be kept with hereticks; I further declare, that it is no article of my faith; and that I do renounce, reject, and abjure the opinion, that princes excommunicated by the pope and council, or by any authority of the ſee of Rome, or by any authority whatſoever, may be depoſed or murdered by their ſubjects, or by any perſon whatſoever; and I do promiſe, that I will not hold, maintain, or abet, any ſuch opinion, or any other opinion, contrary to what is expreſſed in this declaration; and I do declare, that I do not believe that the pope of Rome, or any other foreign prince, prelate, ſtate or potentate, hath or ought to have any temporal or civil juriſdiction, power, ſuperiority, or pre-eminence, directly or indirectly, within this realm; and I do ſolemnly, in the Preſence of God, and of his only Son Jeſus Chriſt my Redeemer, profeſs, teſtify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary ſenſe of the words of this oath, without any evaſion, equivocation, or mental reſervation whatever, and without any diſpenſation already granted by the pope, or any authority of the ſee of Rome, or any perſon whatever; and without thinking that I am or can be acquitted before God or man, or abſolved of this declaration, or any part thereof, although the pope, or any other perſon or perſons, or authority whatſoever, ſhall diſpenſe with, or annul the ſame, or declare that it was null and void from the beginning.*

*So help me God.*

Yearly liſts thereof returned to council in 21 days after 1ſt Dec.

II. *ſect.* 2. The officer of king's bench, juſtices of peace, and magiſtrates of the city and towns-corporate, ſhall yearly, within twenty-one days after the firſt of December, return to the clerk of privy council, or his deputy, a true and perfect liſt, under their hand, of every ſuch papiſt as ſhall in the courſe of the preceding year have taken and ſubſcribed ſuch oath, in which liſt the quality, condition, title, and place of abode of ſuch papiſt ſhall be ſpecified.

## Pariſhes.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 27. *ſect.* 4. Whereas by an act eleventh and twelfth of George the third, it is enacted, that ſuch appropriate cures as in ſaid act, ſhall be deemed perpetual cures, with conſent of the archbiſhop, biſhop, dean and chapter, and dignitary, teſtified in writing under hands and ſeals, from the time ſuch writing entered in regiſtry of the dioceſe, and of the metropolitical court: and whereas there is ſome room to doubt from the words of ſaid act, whether the conſent of the biſhop ſingly is ſufficient; no pariſh with cure of ſouls, appropriated or annexed to any dignity, or part of the corps thereof, ſhall hereafter be charged, or made a perpetual cure, purſuant to ſaid act, without expreſs conſent of the archbiſhop, in writing under his hand and ſeal, and regiſtered in the dioceſan and metropolitical regiſtry.

Recital of 11 & 12 G. 3. c. 16. ſ. 9

doubt whether biſhop's conſent ſingly ſufficient to make perpetual cure; archbiſhop's conſent in writing under hand and ſeal, regiſtered, required.

II. *ſect.* 5. And whereas in the laſt recited act, it is enacted, that it ſhall be lawful for the chief governor with conſent of ſuch perſons as in the act 2 G. 1. intituled, *an act for the real union and diviſion of pariſhes*, to unite appropriate, and to diſappropriate appropriate pariſhes, or part of ſuch pariſhes, and to unite ſuch diſappropriated pariſhes, or part, to another pariſh, and to erect ſuch divided and united pariſhes into new pariſhes with all parochial rights; no diſappropriation of appropriated pariſhes in the manner above mentioned ſhall be made in any dioceſe without conſent of the dean and chapter under their corporate ſeal, two thirds at leaſt of the members of ſaid chapter preſent and conſenting.

Recital 11 & 12 G. 3. c. 16. ſ. 13. 2 G. 1. c. 14.

diſappropriation not without conſent of dean and chapter, under ſeal, 2-3ds preſent.

## Parliament.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 15. *ſect.* 1. Whereas an act the eleventh of his preſent majeſty, to regulate trials of controverted elections, of members in parliament, hath been found equally honourable to the adminiſtration of our ſovereign, and beneficial to the commons, therefore to hand down to poſterity the grateful remembrance of theſe advantages, and ſecure to our deſcendants the benefits thereof, the ſaid act, and the ſeveral proviſions therein contained, ſhall be perpetual.

11 G. 3. c. 12. made perpetual.

## Poor.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 46. *ſect.* 1. All and every part of the ſeveral places in and about the city of Dublin, within two miles of his majeſty's caſtle, whether belonging to liberties, or the county at large, ſhall be exempted from the juriſdiction of any other corporation created by the act, 11 & 12 G. 3. c. 30. and be ſubject only to the corporation created by ſaid act for the county of the city of Dublin, and that in as full and ample manner as any other part of the county of the city is now ſubject by ſaid act.

All places within 2 miles of Dublin caſtle ſubject only to the corporation created by 11 & 12 G. 3. c. 30. for county of the city.

II. *ſect.* 2. The grand jury of the county of Dublin in Eaſter term in every year, impowered and required to preſent ſuch ſum, and to be levied in manner in ſaid act mentioned; and alſo impowered to hand over ſuch portion of money, collected under any ſuch future preſentment, to the corporation for the county of the city, or their treaſurer, as ſhall be adjudged reaſonable, in proportion to the number of poor received from the county at large, into the houſe of induſtry belonging to the county of the city of Dublin.

County grand jury every Eaſter to preſent as by ſaid act; and hand over to corporation for county of city in proportion to number of poor received from the county into the houſe of induſtry.

The county corporation and magiſtrates to ſend beggars and vagrants to the houſe in county of the city as they are enabled to receive.

III. *ſect.* 3. The corporation created by the ſaid act for the county of Dublin, and all the magiſtrates of the county of Dublin, impowered to ſend beggars and ſtrolling vagrants to the houſe of induſtry, in the county of the city, in ſuch number, and on ſuch terms, as the corporation for the county of the city ſhall think themſelves enabled to receive, who are hereby impowered to receive them.

A member of county of city corporation may on view or information commit a beggar, till examined and diſpoſed of next general board.

IV. *ſect.* 4. And for ſuppreſſion of vagrant beggars within juriſdictions of the corporation for county of the city, any member of ſaid corporation may, on view, or information of a credible witneſs, commit any perſon taken in act of begging, to houſe of induſtry, to be detained in the diviſion allotted for helpleſs poor, till his caſe examined next general board, who may diſpoſe of ſuch perſon according to regulations of ſaid act.

News-criers, &c. if without licence committed as vagabonds;

V. *ſect.* 5. Whereas young and able bodied perſons follow occupations of news crying, cleaning ſhoes, and carrying baſkets from markets, in the intervals of ſuch employment expoſed to idleneſs and vice, and might be more uſefully engaged in labour, and ſuch employments might be executed by perſons partly diſabled, who muſt otherwiſe be taken into the houſe of induſtry, any perſon following any of ſaid occupations within the juriſdiction of the corporation for the poor in county of city of Dublin, after the 24th of June next, without a licence from ſaid corporation, (ſuch licence granted without fee or reward) ſhall be deemed an idle perſon, and liable to commitment as a vagabond.

licence without fee

Venders of ſmall wares committed, if without licence from the corporation, or as hawker and pedlar.

VI. *ſect.* 6. To prevent indirect begging, any member of corporation for the poor of the county of city of Dublin may commit any perſon offering ſmall wares to ſale within juriſdiction of ſaid corporation, without a licence from ſaid corporation (ſuch licence granted without fee or reward) and ſuch perſon deemed an idle perſon, and liable to commitment as a vagabond, unleſs provided with a licence as a hawker and pedlar.

Corporations for poor to apply to the biſhop, &c. for an annual charity ſermon between 1 Jan. and May;

VII. *ſect.* 7. Whereas the appointing preachers to recommend the charitable purpoſes of ſaid act, differs from the eccleſiaſtical order uſual, the corporation for badging the poor in the ſeveral counties, counties of cities, and towns, ſhall, by letter under corporation ſeal, or deputation from their body, apply to the archbiſhop, biſhop, or ordinary of their reſpective dioceſe, requeſting him to require ſermons to be preached for ſupport of ſaid charity, by the miniſter of every pariſh, or ſome properly qualified perſon, provided by him, on ſuch one particular Sunday, between the firſt of January and firſt of May in every year, as by ſaid archbiſhop, biſhop, or ordinary, judged moſt proper and convenient; and upon ſuch requiſition, ſaid archbiſhop, biſhop, or ordinary, ſhall iſſue his mandate for this purpoſe to his clergy.

mandate accordingly.

Beggars detained, till by labour the expence of cloathing reimburſed.

VIII. *ſect.* 8. The corporation ſhall have power to detain in ſaid houſe ſuch perſons, as ſhall hereafter be apprehended and cloathed at expence of the corporation, until they ſhall, by labour, have reimburſed the expence of purchaſing ſuch cloaths.

Lord mayor preſident;

IX. *ſect.* 9. Whereas it is fit, the lord mayor of Dublin, on account of his knowledge, reſidence, and dignity, do preſide at meetings of ſaid corporation; when a ſufficient *quorum* are aſſembled, he, if preſent, ſhall always take the chair, and do all duties of a preſident or head of the corporation as laid down in ſaid act; and in his abſence, one of repreſentatives of ſaid city, or the ſenior juſtice, as directed by ſaid act; and in their abſence

or one repreſentative, or ſenior juſtice;

any

any other member of the corporation, whom a majority of ſaid *quorum* appoint to take the chair.

or other member as by a majority of the quorum.

X. *ſect.* 10. The corporation created for county of Dublin, may, if they think fit, hold their ſeveral meetings at ſuch places, as to them ſhall ſeem convenient, out of ſaid county; any clauſe in ſaid act to the contrary notwithſtanding.

County of Dublin corporation may meet out of the county.

XI. *ſect.* 11. The ſeveral corporations are impowered to meet at ſuch time or times as they think proper, and to adjourn, and do all matters and things which they are impowered to do by ſaid act, in as full and ample a manner, as if they had met at the time preſcribed by ſaid act.

Corporations may meet and act, as if they had met at time preſcribed.

XII. *ſect.* 12. Arthur earl of Donegall, James Lewis, ſovereign of Belfaſt, and his ſucceſſors for the time being, Henry Skeffington and George Hamilton, repreſentatives for ſaid town, and the repreſentatives for the time being, the preſent vicar and church-wardens of ſaid pariſh, and their ſucceſſors for the time being, James Mackay, William Laird, and James Crumby, and ſuch perſons as ſhall contribute to ſuch charity, as herein after mentioned, ſhall for ever hereafter be in name and fact one body corporate in law for the charitable purpoſes, and ſhall have perpetual ſucceſſion, and be called and diſtinguiſhed by name of the preſident and aſſiſtants of the Belfaſt charitable ſociety; and ſaid earl of Donegall ſhall be preſident during life; and ſaid preſident and his aſſiſtants ſhall be enabled to plead and ſue, and be impleaded and ſued by that name in all his majeſty's courts of juſtice; and ſhall appoint a common ſeal and ſeals for uſe of ſaid corporation; and have power and authority to meet as often as occaſion; and ſaid preſident and his aſſiſtants, and ſucceſſors, or any five or more, ſo aſſembled, ſhall have power to make ſuch reaſonable laws, rules, orders, and regulations for government and management of ſaid infirmary and poor-houſe, as they think neceſſary and convenient, and to revoke or alter at diſcretion; and it ſhall be lawful for ſaid preſident and aſſiſtants to make like bye-laws and regulations, and to exerciſe like powers, with reſpect to the poor and all idle and ſturdy beggars within ſaid town and pariſh of Belfaſt, as the corporations created by ſaid act within counties at large, and counties of towns and cities, are enabled to do.

A corporation erected for Belfaſt, named, Lord Donegall preſident; 5 may make rules, &c. revoke and alter; with like powers as the other corporations.

XIII. *ſect.* 13. Every perſon, who ſhall ſubſcribe and pay one guinea to ſaid corporation for ſupport and maintenance of ſaid poor, ſhall thenceforth be, and continue for one entire year, a member thereof, to all intents and purpoſes, as fully and effectually as any perſons herein before named.

1 Guinea ſubſcribers members for 1 year.

XIV. *ſect.* 14. Said corporation ſhall firſt hold a meeting on the firſt of June next in the market-houſe of Belfaſt, and it ſhall be lawful for them afterwards to meet at and adjourn to ſuch times and places within ſaid town and pariſh, as they think fit; and in caſe the preſident ſhall not attend, they ſhall have power to appoint ſuch other member of their corporation to preſide and act in his ſtead at ſuch meeting, as they may judge proper; and they and their ſucceſſors ſhall and may, upon death, reſignation, or removal of their preſent preſident, chooſe ſuch member of their corporation to be preſident, as they think fit.

First meeting 1ſt June, may adjourn; if preſident abſent, appoint another member; ſo on vacancy.

XV. *ſect.* 15. All the grounds, granted by ſaid earl of Donegall by the ſeveral deeds herein after mentioned to the truſtees therein named, for uſe of ſaid poor-houſe and infirmary, and the charitable deſign of erecting any buildings thereon, or for anſwering any uſeful purpoſe for maintenance, relief, or accommodation of the poor of ſaid town and pariſh of Belfaſt; that is

Grounds granted by lord Donegall veſted in them for ſupport of the poor of Belfaſt.

all that piece of ground, ſituate on the north ſide of the ſtreet commonly called Carrickfergus-Peterſhill, in Belfaſt, containing in front next ſaid ſtreet three hundred and ſixty-two feet, or thereabouts, be the ſame more or leſs, and extending backwards, in the weſt ſide, eleven hundred and fifty feet, or thereabouts, more or leſs; and on the eaſt twelve hundred and ſix feet, more or leſs; and in breadth, at the rere, three hundred and twenty-ſeven feet, more or leſs, granted by ſaid earl of Donegall by leaſe and releaſe, the fifth and ſixth of July, 1768, to certain truſtees therein named, as more particularly deſcribed by a map thereunto annexed; and alſo all that piece of ground on the north ſide of the ſtreet, commonly called Carrickfergus-Peterſhill, in Belfaſt, containing in and from, next to ſaid ſtreet, one hundred and forty feet of aſſize, or thereabouts, be the ſame more or leſs, and extending backwards on the weſt ſide eleven hundred and ninety-ſeven feet, or thereabouts, more or leſs; and on the eaſt twelve hundred and nine feet, or thereabouts, more or leſs; and in breadth at the rere, one hundred and eighty feet, or thereabouts, more or leſs, granted by ſaid earl to Henry Joy, by leaſe and re-leaſe, the 21ſt and 22d of March 1771, as more particularly deſcribed by a map annexed; and alſo all that piece of ground on the north ſide of Carrickfergus-Peterſhill in Belfaſt, containing in front one hundred and forty feet, or thereabouts, and extending backwards one hundred and ſixty feet, granted by ſaid earl to James Lewis, by indenture of leaſe the 26th of April 1771, and as more particularly deſcribed by a map annexed; and alſo all that piece containing two acres plantation meaſure, more or leſs, granted by ſaid earl to ſaid James Lewis, by leaſe the 26th of April 1771, as particularly deſcribed by a map annexed, ſhall, after the firſt of June next, be veſted in ſaid preſident and aſſiſtants of the charitable ſociety of Belfaſt, and ſucceſſors, for and according to the ſeveral eſtates and intereſts granted by ſaid ſeveral deeds, ſubject however to the rents, reſervations, conditions, clauſes, and covenants therein on the part of ſaid grantees and leſſees, their heirs, executors, adminiſtrators and aſſigns, to be paid, done and performed; and alſo all ſuch ſums of money as have been ſubſcribed, paid, and laid out on ſecurities for purpoſe aforeſaid, and all ſecurities given, taken, and obtained for the ſame, ſhall, after ſaid firſt of June, be veſted in ſaid preſident and aſſiſtants, and ſucceſſors; and they ſhall be enabled to ſue for and recover the ſame to and for the pious and charitable uſes and purpoſes of maintaining and ſupporting the poor of ſaid town and pariſh of Belfaſt.

May purchaſe 1000l a year;

XVI. *ſect.* 16. Said preſident and aſſiſtants, ſhall and may, without licence in mortmain, purchaſe, take, or receive any manors, lands, tenements, annuities, or hereditaments, in poſſeſſion, reverſion, or contingency, not exceeding one thouſand pounds a year in the whole, of the alienation, gift, or deviſe of any perſon having a right, and not otherwiſe diſabled to alien, grant, or deviſe the ſame; which perſon not otherwiſe diſabled is hereby enabled to transfer and grant accordingly; or any goods, chattles, and perſonal eſtate whatſoever, as well for enlarging ſaid infirmary and poor-houſe, as taking any other houſe or piece of ground in or near Belfaſt, which the majority of ſaid corporation ſhould think moſt convenient for the relief, ſupport, and maintenance of the maimed, ſick, and infirm who are to receive the benefit of ſaid infirmary and poor-houſe.

or any perſonal eſtate.

Recover legacies and gifts.

XVII. *ſect.* 17. Said preſident and aſſiſtants, and ſucceſſors, ſhall have power to recover all legacies, gifts, and bequeſts to any perſon whatſoever

in

in truſt for ſaid infirmary and poor-houſe, or for any of the charitable purpoſes of the ſame.

XVIII. *ſect.* 18. It ſhall be lawful for ſaid preſident and aſſiſtants from time to time, by indenture under common ſeal to demiſe or leaſe any lands, tenements, or hereditaments, veſted or to be veſted in them, in purſuance of this act, or any part or parcel thereof, for any term of years, not exceeding thirty-one; ſo as reſerved and payable half-yearly to ſaid preſident and aſſiſtants, and ſucceſſors, during ſaid term, as much rent, as at time of making ſuch leaſe can be really had from a ſolvent tenant, and ſo as no fine or income, or other conſideration be taken, other than ſaid rents reſerved, and ſo as every ſuch demiſe or leaſe be made in poſſeſſion, and not in reverſion.

Demiſe not above 31 years; reſerving rent half-yearly as from ſolvent tenant, taking no fine, &c. not in reverſion.

XIX. *ſect.* 19. Whereas Mr. Richard Burke, ſurgeon, hath practiſed many years in the county of Clare, with great credit, and hath been lately approved of as a proper perſon, the governors and governeſſes of the infirmary may elect, if they think fit, ſaid Richard Burke, as ſurgeon to ſaid county infirmary, by producing a certificate from the ſurgeon-general, and of two other able ſurgeons appointed by ſaid ſurgeon-general, of his ability and ſkill in ſurgery, if ſaid governors and governeſſes of ſaid infirmary require the ſame; any thing in ſaid act to the contrary notwithſtanding.

Richard Burke ſurgeon for Clare infirmary on ſurgeon-general's certificate, if required.

XX. *ſect.* 20. Said Richard Burke, if ſo elected, removeable from ſaid office, in manner as preſcribed by ſaid act.

Removeable.

XXI. *ſect.* 21. Whereas ſaid recited act has not been yet carried into execution in counties of Wexford and Armagh, Wicklow and King's county, in which great inconveniencies have ariſen on account of the repeal of two acts, one the thirty-third of Henry the eighth, and another the eleventh Charles the firſt, ſaid two laſt mentioned acts, and every thing therein, ſhall be in full force in counties of Wexford, Armagh, Wicklow, and King's county, in which the ſaid act, *for badging poor*, has not been carried into execution; any thing in ſaid laſt mentioned act to the contrary notwithſtanding.

33 H. 8. c. 15. & 10 & 11 C. 1 c. 4. in force in Wexford, Armagh, Wicklow, and King's county, where the 11 & 12 G. 3. c. 30, not yet carried into execution, altho' thereby repealed.

## Poſſeſſion and Foreign Service.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 41. *ſect.* 7. An act twenty-fifth of George ſecond, *for more effectual execution of orders of courts of juſtice for giving and quieting poſſeſſions; and bringing to juſtice ſuch perſons as inliſt ſubjects as ſoldiers in foreign ſervice, without licence*; one other act twenty-fifth of George the ſecond, *for buying and ſelling all ſorts of corn and meal, and other things by weight, and preventing frauds in buying and ſelling thereof*; continued to twenty-fourth of June 1781, and to end of then next ſeſſion.

25 G. 2. c. 12 continued to 24 June 1781, &c.

25 G. 2. c. 15. continued to 24 June 1711, &c.

## Proteſtants.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 25. *ſect.* 1. Whereas an act third of his preſent majeſty, has had many ſalutary effects, and it is expedient to extend the benefit of the ſame in general againſt all claims of the ſame nature, not ſued for or proſecuted within twenty years; the title, poſſeſſion, eſtate, or intereſt of any proteſtant in or to any lands, tenements, or hereditaments in this kingdom, ſhall not be avoided or impeached by aid of the laws to prevent the growth of popery, or by aid of any of ſaid laws, by means

2 G. 3. c. 26, againſt claims under the popery laws not proſecuted within 20 years, extended.

means or colour of any right or pretended right, which arose or accrued twenty years before the first of the present session, if no suit has been commenced or prosecuted within that time, claiming such right; and if some person or persons of full age, and of sound memory, and out of prison, and in this kingdom, and discovert, (the right being in a woman) hath been in being sometime within twenty years before the first of the present session, or before the commencement of twenty years before the first of the present session, who might have sued for such right, nor by the aid of said laws, or any of them, by means or colour of any right or pretended right, which shall or may have arisen or accrued twenty years before commencement or prosecution of any suit claiming such right, if some person or persons as aforesaid, of full age, and of sound memory, and out of prison, and in this kingdom, and discovert (the right being in a woman) shall have been in being at any time before commencement or prosecution of such suit, who might have sued for such right.

Not to prejudice judgments or decrees obtained.

II. *sect.* 2. Nothing herein contained shall bar, defeat, or prejudice any judgment or decree heretofore obtained by any person or persons whatsoever in any court of law or equity, or any suit now depending, grounded on the popery laws, which hath been duly proceeded upon.

## Qualifying.

Not qualifying pursuant to Anne c. 6. indemnified.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 13. *sect.* 1. All persons, who have incurred any penalties or incapacities in the act, intituled, *an act to prevent the further growth of popery*, mentioned, by neglecting to qualify themselves according to said act, shall be indemnified, freed, and discharged of and from all incapacities, disabilities, forfeitures, and penalties incurred by such omission or neglect; and no acts done by them, or any of them, and not yet avoided, shall be questioned or avoided by reason of such neglect or omission, but all such acts shall be as good and effectual, as if every such person had taken and subscribed the oaths, and received the sacrament, and made and subscribed the declaration, in manner aforesaid; any thing in said act to the contrary notwithstanding.

On qualifying by 1 Aug. 1775.

II. *sect.* 2. Provided such persons do, and shall take and subscribe said oaths, and receive said sacrament, and make, repeat, and subscribe said declaration, in such manner and form, and in such place and places, as directed and appointed by said act, on or before the first of August 1775.

Officers preferred and qualifying in Great Britain, not obliged on arrival here.

III. *sect.* 3. And whereas several subjects are often preferred in the army residing in Great Britain, and the regiments in which such officers have commissions are often put upon this establishment; no officers, so preferred in Great Britain, who shall have qualified themselves for such commissions according to and within the time limited by the laws made in Great Britain, shall be obliged to qualify in this kingdom for such commissions so granted in such regiments, after their arrival in this kingdom, and being put upon this establishment; any law, usage, or custom to the contrary notwithstanding.

Not to restore to office avoided or filled.

IV. *sect.* 4. This act shall not extend to restore or entitle any person to any office or employment, already avoided by judgment of courts of record, or already filled up by any other; but such office or employment shall be and remain in the person now entitled by law to the same, as if this act never made.

I. *Stat.*

# Revenue.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 8. *ſect.* 1. All appointments of ſubordinate commiſſioners, ſub-commiſſioners, collectors, clerks, ſearchers, waiters, meſſengers, and other officers in the exciſe, heretofore made, or to be made on or before the 24th of June 1774, by the chief commiſſioners of exciſe, or any three; and all judgments, orders, ſeizures, acts, and things given, made, or done, or to be made or done, by the ſaid ſubordinate commiſſioners, ſub-commiſſioners, collectors, clerks, ſearchers, waiters, meſſengers, and other officers, ſhall be valid, good, and effectual in law, notwithſtanding any informality, inſufficiency, or defect in appointment of ſuch officers, as fully as the ſame would have been, if there had been no ſuch informality, inſufficiency, or defect in ſuch appointment, and no further.

Appointment and acts of exciſe officers valid, notwithſtanding defect in appointment.

II. *ſect.* 2. From the 24th of June 1774, all ſubordinate commiſſioners, ſub-commiſſioners, collectors, clerks, ſearchers, waiters, meſſengers, and other officers in the exciſe hereafter to be appointed, and all appointments of ſaid officers hereafter made, ſhall be by the chief commiſſioners of exciſe, or any three or more, under their hands and ſeals, with approbation of the lord lieutenant, lord deputy, or other chief governor; and the ſaid commiſſioners, or any three, with approbation of the chief governor, ſhall have full power to diſplace ſaid officers, or any of them, from time to time, and place others in their room, and to allow them ſuch ſeveral yearly wages, paid quarterly out of the receipts of ſaid office, and other accidental rewards for their pains and ſervices, as they ſhall think fit, to be alſo paid out of the receipts of ſaid office; ſuch officers ſo appointed, to be admitted and ſworn into their offices as heretofore, and to have the ſame powers and authorities, and ſubject to ſame forfeitures, penalties, ſuſpenſions, removals, and regulations, in all other reſpects, as provided by ſaid act, or any other act or acts relating to ſuch officers reſpectively.

Appointment of exciſe officers by three commiſſioners under hand and ſeal, approved by chief governor;

power to diſplace, to allow quarterly wages, and accidental rewards;

officers ſworn as before, with like powers, regulations, &c. as by 14 & 15 C. 2, c. 8. or other acts.

III. *ſect.* 3. From the 24th of June 1774, the ſaid commiſſioners, ſub-ordinate commiſſioners, ſub-commiſſioners, or collectors ſhall have for their ſeveral pains in and about ſaid buſineſſes ſuch reaſonable ſums allowed by way of poundage or otherwiſe, as the chief governor ſhall think fit.

Poundage or allowance by chief governor.

IV. *ſect.* 4. From the 24th of June 1774, all juſtices of the peace, mayors, ſheriffs, portrieves, bailiffs, ſovereigns, conſtables, headboroughs, and all the king's officers, miniſters, and ſubjects whatſoever, ſerving under his majeſty by commiſſion, warrant, or otherwiſe, ſhall be aiding and aſſiſting to all perſons, appointed to manage or collect his revenues, and the officers of thoſe revenues reſpectively, and their deputies, in the due execution of every act and thing required and enjoined by this or any act relative to the revenue; and all ſuch perſons, as ſhall be aiding and aſſiſting unto them in the due execution thereof, ſhall be defended and ſaved harmleſs by this act; and the proper officers of exchequer are authorized, upon application to them by any known ſollicitor of his majeſty's revenues, or any of them reſpectively, upon his producing an order, ſigned by the chief commiſſioners of revenue, or any three or more, to iſſue writs of aſſiſtance under ſeal of exchequer, to authorize the officers of revenues to require and demand aid and aſſiſtance of his majeſty's officers, and all other perſons as before mentioned.

Aſſiſtance to revenue officers;

ſaved harmleſs.

Writs of aſſiſtance under exchequer ſeal on order by 3 commiſſioners produced by revenue ſollicitor.

V. *ſect.* 5. The ſaid writs of aſſiſtance ſhall never be made uſe of by any officer under degree of a ſurveyor, unleſs ſuch officer ſhall have a written order

Uſed by none under a ſurveyor, unleſs order ſigned by ſuperior, &c.

der, ſigned by ſome ſuperior officer of revenue of the degree at leaſt of a ſurveyor.

General iſſue pleaded, and ſpecial matter in evidence.

VI. *ſect.* 6. If any action, indictment, ſuit, or other proſecution brought or commenced againſt any officers of revenues, or any of them, or any other perſon acting in their aid or aſſiſtance in purſuance of this or any other act, relative to the revenues, it ſhall be lawful for ſuch officer or perſon to plead the general iſſue, and to give this or ſuch other acts and the ſpecial matter in evidence in any courts, where ſuch ſuit or proſecution depending; and the judges of ſaid courts are required to admit the ſame.

Complaints on retailing without licence determined by one commiſſioner of exciſe, and penalties levied;

like appeal.

VII. *ſect.* 9. After the 24th of June 1774, it ſhall be lawful for any one or more of the chief commiſſioners of exciſe to hear and determine all complaints againſt any perſon, who ſhall ſell any wine, cyder, beer, or ale by retail, without licence firſt had and obtained, and to order and direct to be levied all forfeitures, fines, and penalties incurred for doing thereof without licence as aforeſaid, in ſame manner, and as effectually, to all intents, conſtructions, and purpoſes, as any three or more of ſaid chief commiſſioners of exciſe are now impowered by law to do, with like remedy of appeal to parties who ſhall think themſelves aggrieved or injured, as hereafter mentioned.

Former acts continued 2 years, &c.
33 G. 2. c. 10.
1 G. 3. c. 7.
3 G. 3. c. 21.
5 G. 3. c. 15.
7 G. 3. c. 27.
11 & 12 G. 3. c. 7.

VIII. *ſect.* 19. An act the 23 G. 2. and all clauſes therein reſpectively contained (except as altered, repealed, or amended by this act, or by any or either of the recited acts) ſhall continue and be in force for two years from the 24th of June 1774, and from thence to the end of the then next ſeſſion, and no longer.

Penalties levied and applied as by 14 & 15 C. 2. c. 8.

with like appeal.

IX. *ſect.* 20. All fines, penalties, and forfeitures inflicted by this act, or by the ſaid ſeveral acts laſt particularly mentioned or recited, or by any of them (other than ſuch as by this act, or by any of the recited acts before laſt mentioned, are otherwiſe provided for) ſhall and may be ſued for, recovered, levied, and applied in ſuch manner and form, ways and means, and with ſuch powers and authorities, as preſcribed, directed, and appointed by an act 14 and 15 C. 2. for ſettling the exciſe or new impoſt, according to the book of rates, as fully and effectually, to all intents, conſtructions, and purpoſes, as if particularly mentioned, expreſſed, and re-enacted in this act, with like remedy of appeal to parties who think themſelves aggrieved or injured, as by ſaid act of exciſe provided.

Continued 2 years, &c. from 24 June 1774; perpetual as to appointment of exciſe officers, their ſalaries, and acts.

X. *ſect.* 21. This act, and the ſeveral proviſions hereby made, ſhall continue and be in force two years from the 24th of June 1774, and to the end of the then next ſeſſion, and no longer; except ſuch parts as relate to making good and effectual the appointments of ſuch ſub-commiſſioners, collectors, clerks, ſearchers, waiters, meſſengers, and other officers in the exciſe, heretofore made by the chief commiſſioners of exciſe, or any of them, and all acts and things done by ſaid officers, or any of them; and ſave and except what relates to the future appointment of ſaid officers of exciſe, or any of them, and to their ſalaries and other accidental rewards for pains and ſervices, and all acts and things to be done by them, or any of them; which parts ſo excepted, ſhall be perpetual.

## Riots.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 4. *ſect.* 1. Whereas an act paſſed in the eleventh of his preſent majeſty, *for the more effectual puniſhing wicked and diſorderly perſons, who have committed or ſhall commit violences, and do injuries to the perſons and properties of any of his majeſty's ſubjects in the counties of Antrim, Down, Armagh, city and county of Londonderry, and county of Tyrone, or any of them, or who ſhall deliver or publiſh threatening letters, or who reſiſt or oppoſe the levying the publick taxes in the ſaid counties, or any of them, and for the more effectual bringing to juſtice certain offenders therein mentioned*; has been found no longer neceſſary; the ſaid act, and every clauſe thereof, henceforth repealed, and made null and void.

11 & 12 G. 3. c. 5. repealed.

## Schools.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 9. *ſect.* 21. And for further encouragement of Engliſh proteſtant ſchools, it ſhall be lawful for every archbiſhop, biſhop, dean, archdeacon, dignitary, prebendary, rector, vicar, and eccleſiaſtical perſon whatſoever, with conſent of archbiſhop or biſhop of their dioceſe, ſignified under hand and ſeal by deed indented, to demiſe for any term or number of years or lives, with covenants of perpetual renewal, any quantity of land to them reſpectively belonging, not exceeding thirty acres plantation-meaſure to ſaid incorporated ſociety and their ſucceſſors, reſerving a rent, not leſs than the improved yearly value, at time of making ſuch demiſe, payable to thoſe intitled to the freehold and inheritance, and taking no fine or foregift for the ſame; and all grants ſo made ſhall be good and effectual againſt the ſucceſſors of every ſuch archbiſhop, biſhop, dean, archdeacon, dignitary, prebendary, rector, vicar, and other eccleſiaſtical perſons reſpectively.

Eccleſiaſticks may demiſe in perpetuity 30 acres, reſerving proved yearly value, taking no fine or foregift;

valid againſt ſucceſſors.

II. *Sect.* 22. In caſe the ſaid lands and premiſſes, ſo demiſed, ſhall not be applied and made uſe of for the benefit and ſupport of the charity-ſchools or nurſeries, or ſome of them, that are or ſhall be erected and eſtabliſhed by ſaid ſociety, ſuch demiſe ſhall be abſolutely null and void to all intents and purpoſes whatſoever.

Void if not applied to the charity ſchools.

III. *Stat.* 13 & 14 *Geo.* 3. *cap.* 27. *ſect.* 7. The maſters of free-ſchools, now intitled to three fourths of the ſums expended in erecting buildings, and making improvements upon their demeſne or menſal lands by 1 G. 2. ſhall be included and compriſed in the act of G. 3. and to all benefits and advantages of ſaid act, and have a certificate for a ſum not exceeding two years of the clear yearly income of ſaid ſchool; in which the ſeveral fines, received and expended upon ſaid buildings and improvements, ſhall not be included; provided ſuch buildings and improvements made under the ſame appointments, reſtrictions, and limitations, as required by ſaid act of the firſt of his late majeſty, and upon new ſites, approved by the archbiſhop of Armagh, under his hand and archiepiſcopal ſeal, and ſhall be compleated and finiſhed, ſo as to be fit for reſidence of the maſter of ſuch ſchool and his ſucceſſors.

Schoolmaſters now intitled to 3-4ths for buildings and improvements by 1 G. 2. c. 15. ſhall be included in 11 & 12 G. 3. c. 17. and have certificate for two years income, if improvements compleated, fines not included; the improvements as by 1 G. 2. c. 15. and on new ſites, approved under ſeal of archbiſhop of Armagh.

## Seamen.

5 G. 2. c. 13. continued to 24 June 1782, &c.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 41. *ſect.* 11. An act 5 G. 2. for regulating ſeamen in merchants ſervice, continued to 24th of June 1782, and to end of then next ſeſſion, and no longer.

## Stamps.

From 25 March 1774 to 25 Dec. 1775 inclusive, the following duties raiſed;

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 6. *ſect.* 1. From and after the 25th of March 1774, there ſhall be throughout the kingdom of Ireland raiſed, collected, and paid unto his majeſty, his heirs and ſucceſſors, from the twenty-fifth of March aforeſaid till the twenty-fifth of December 1775 incluſive, for the ſeveral and reſpective matters and things herein after mentioned, written or engroſſed at any time from the ſaid twenty-fifth of March to the twenty-fifth of December 1775 incluſive, the ſeveral and reſpective rates, impoſitions, duties, charges, and ſums herein after expreſſed, in manner and form following (that is to ſay) for every ſkin or piece of vellum or parchment, on which any grants or letters patent under the great ſeal of Ireland, of any honour, dignity, promotion, franchiſe, liberty or privilege to any perſon, bodies politick or corporate, or exemplifications of the ſame, ſhall be engroſſed or written (commiſſions of rebellion in proceſs always excepted) three pounds; for every ſkin or piece of vellum or parchment, or ſheet of paper, on which any pardon (except the pardon paſſed in *forma pauperis*) of or for any crime or offence, or of any ſum of money or forfeiture whatſoever, or on which any warrant of reprieve, relaxation from any fines, corporal puniſhment, or other forfeitures, ſhall be engroſſed or written, three pounds; upon which any grant from his majeſty, his heirs or ſucceſſors, of any ſum exceeding one hundred pounds, which ſhall paſs the great ſeal of Ireland, ſhall be engroſſed or written, three pounds; upon which any grant of any office or employment above fifty pounds *per annum*, written or engroſſed, three pounds; on which any grant of lands in fee, leaſe for years, or other grant or profit not herein particularly charged, that ſhall paſs the great ſeal, or ſeal of the exchequer (*cuſtodiam* leaſes excepted) ſhall be engroſſed or written, two pounds; upon which any preſentation or donation which ſhall paſs the great ſeal, or upon which any collation by archbiſhop or biſhop, or any preſentation or donation by any patron whatſoever, of or to any benefice, dignity, or ſpiritual or eccleſiaſtical promotion whatſoever, of one hundred pounds a year, or upwards, ſhall be engroſſed or written, two pounds; the value to be aſcertained by certificate of the archbiſhop or biſhop, or vicar general of the dioceſes. Provided always, that two or more benefices, epiſcopally united, ſhall be deemed one benefice only. For every ſkin or piece of vellum or parchment, or ſheet of paper, on which any diſpenſation to hold two eccleſiaſtical dignities or benefices, or both a dignity and a benefice, or any other diſpenſation or faculty from the archbiſhop of Armagh or maſter of the faculties, ſhall be engroſſed or written, ſix pounds; upon which any admittance of any fellow of the college of phyſicians, or of any attorney, clerk, advocate, proctor, notary, or other officer or officers in any court whatſoever, engroſſed or written, (except ſuch officer be annual in any corporation or inferior court, whoſe office is under ten pounds a year in ſalary, fees or other perquiſites) three pounds; upon which any appeal from the admiralty or prerogative court, or archiepiſcopal court, engroſſed

grants or patents of honour, promotion, franchiſe, &c. 3l. *per* ſkin, commiſſions of rebellion excepted;

pardons (except *forma pauperis*) reprieves, relaxations from fine or forfeiture, 3l. *per* ſkin or ſheet;

and 2l. grants above 100l. under great ſeal, and office or employment above 50l. per annum;

grant in fee, leaſe for years, or other profit not herein charged, under great or exchequer ſeal (*cuſtodiam* excepted) 2l. per ſkin;

eccleſiaſtical promotion of 100l. a year or upwards, 2l. aſcertained by certificate of biſhop or vicar general.

Unions deemed one benefice.

Diſpenſation or faculty 6l

admittance of fellow of college of phyſicians, attorney, clerk, or officer in any court, 3l. except annual officer in inferior court or corporation under 10l. a year;

appeals 3l.

groſſed or written, three pounds; upon which any conveyance, ſurrender of grants or offices, releaſe, or other deed whatſoever inrolled of record in any courts at Dublin or other courts of record whatſoever engroſſed or written, five ſhillings; upon which any writ of covenant for levying a fine engroſſed or written, two ſhillings and ſix pence; upon which any writ of entry for ſuffering a common recovery engroſſed or written, two ſhillings and ſix pence; upon which any exemplification of what nature whatſoever, that ſhall paſs the ſeal of any court whatſoever, engroſſed or written, five ſhillings; upon which any decree or diſmiſſion by the chancery or exchequer engroſſed or written, ſix pence; upon which any inſtitution, that ſhall paſs the ſeal of any archbiſhop or biſhop, chancellor, or other ordinary, or any eccleſiaſtical court whatſoever, engroſſed or written, five ſhillings. Provided that an inſtitution to two or more benefices epiſcopally united be conſidered as to a ſingle benefice. For every ſkin or ſheet of vellum or parchment, or piece of paper, upon which any writ of error, *certiorari*, or appeal, except to the delegates, engroſſed or written, five ſhillings; as alſo upon which any writ of *habeas corpus* engroſſed or written, one ſhilling; upon which any ſentence in the admiralty, or attachment out of the ſaid court, or relaxation of any ſuch attachment, engroſſed or written, five ſhillings; upon which any probate of a will or letters of adminiſtration for any eſtate above thirty pounds, engroſſed or written, five ſhillings; upon which any recognizance for payment of money, or performance of covenants or agreements, ſtatute ſtaple or ſtatute merchant, engroſſed or written, or entered of record in any court or office, five ſhillings; upon which any record of *niſi prius* or *poſtea* ſhall be engroſſed or written, two ſhillings and ſix pence; upon which ſhall be engroſſed or written any judgment whatſoever, ſigned by the maſter of any office, his deputy, or ſecondary, or any prothonotary, his ſecondary, deputy, or clerk, or any other officer belonging to any of the courts at Dublin, who have power or uſually do or ſhall ſign judgments, a duty after the rate of two ſhillings and ſix pence for every judgment engroſſed or written on ſuch ſkin or piece of vellum, or parchment, or paper; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any commiſſion iſſuing out of any eccleſiaſtical court, not herein otherwiſe particularly charged, ſhall be engroſſed or written, two ſhillings and ſix pence; upon which any warrant, monition, or perſonal decree in the admiralty, ſhall be engroſſed or written (except in ſuits for payment of ſeamen's wages) two ſhillings and ſix pence; upon which any ſpecial bail taken in any of the courts of Dublin, or before any of the judges of ſaid courts, or in any court whatſoever, ſhall be engroſſed or written, and for every piece of vellum, parchment, or paper, upon which ſhall be engroſſed or written any appearance upon ſuch ſpecial bail, one ſhilling; upon which any common bail filed in any court whatſoever, and upon which any appearance, that ſhall be made upon ſuch bail, ſhall be engroſſed or written, ſix pence; upon which engroſſed or written any bill, anſwer, replication, rejoinder, interrogatories, depoſitions taken by commiſſioners, or any other pleadings whatſoever in the courts of chancery or exchequer, one ſhilling; upon which any admiſſion into any corporation or company engroſſed or written, ſix pence; for every piece of parchment or paper, upon which any affidavit engroſſed or written (except affidavits before the officers of cuſtoms or exciſe, or any juſtice of peace, or before a magiſtrate of any corporation acting as a juſtice, on acting in any court of conſcience or ſummary juriſdiction, or before any

deeds inrolled of record, 5s.

covenant for fine, writ of entry for recovery, 2s. 6d.

exemplification, 5s.

decree or diſmiſs 6d.

inſtitution, 5s.

Unions as one.

Error, *certiorari*, or appeal (except to delegates) 5s.

*habeas corpus* 1s.

ſentence of admiralty, attachment, or relaxation, 5s.

probate, letters of adminiſtration, for above thirty pounds, 5s.

recognizance, &c. 5s.

*niſi prius* or *poſtea* 2s. 6d.

judgments ſigned by proper officer, 2s. 6d. each;

commiſſion out of eccleſiaſtical court, not otherwiſe charged, 2s. 6.

admiralty warrant, monition, or decree, 2s. 6d. except for wages; ſpecial bail, and appearance 1s.

common bail and appearance 6d.

pleadings in chancery or exchequer 1s.

admiſſion in corporation or company 6d.

affidavits 6d. except before cuſtom or exciſe officer, magiſtrate, on in-

dictment or civil bill, for publick money, hemp and flax, corn, premiums, turnpikes, and Dublin Society.

any judge of aſſize, or commiſſioner of oyer and terminer, relative to proſecutions or trials on indictments, or to civil bills, or made for the purpoſe of raiſing or accounting for publick money, and except affidavits relative to hempen and flaxen manufacture, or payment of corn premiums, or before truſtees of any turnpike relative to the roads or tolls of ſuch turnpike, or affidavits before the Dublin ſociety) ſix pence; for every piece of parchment or paper, upon which any copy of ſuch affidavit, as before charged, filed or read in any court whatſoever, ſhall be engroſſed or written, ſix pence; upon which engroſſed or written any indenture, leaſe, or deed-poll, not hereby otherwiſe charged (except indentures for binding poor pariſh or other poor children ſupported by publick or private charities apprentices) one ſhilling; for every piece of vellum, parchment, or paper, upon which any original writ (except upon which a *capias* iſſues) *ſubpœna*, *capias quominus*, *dedimus poteſtatem* to take anſwers, examine witneſſes, or appoint guardians, or any other writ whatſoever, or any other proceſs or mandate that ſhall iſſue out of or paſs the ſeals of any of the courts at Dublin, or any other court whatſoever holding plea, where the debt or damage doth amount to forty ſhillings or above, or the thing in demand is of that value, ſhall be engroſſed or written, ſix pence; upon which any entry of any action in the mayor's and ſheriffs courts of Dublin, and in courts in all corporations, and other courts whatſoever, out of which no writs, proceſs, or mandates iſſue, holding plea, where the debt or damage doth amount to forty ſhillings or above, engroſſed or written, ſix pence; upon which any rule or order (except in cauſes proſecuted upon indictments, or which relate to preſentments) made or given in any of the courts at Dublin, either of law or equity, which ſhall be taken out, ſhall be engroſſed or written, ſix pence; upon which any copy of ſuch rules or orders entered, or the copies of any other records or proceedings in any of ſaid courts at Dublin, not hereby otherwiſe charged, ſhall be engroſſed or written, ſix pence; upon which engroſſed or written any citation or monition in the prerogative or any eccleſiaſtical court, or any libel or allegation, depoſition, anſwer, ſentence, or final decree, or any inventory exhibited in the prerogative or in any eccleſiaſtical court, or admiralty, or whereupon any copies of them reſpectively engroſſed or written (except in ſuits for ſeamens wages) ſix pence; upon which any charter-party, policy of aſſurance, paſſport, bond, releaſe, contract, or other obligatory inſtrument, or any proteſt, procuration, letter of attorney, or any other notarial act whatſoever, engroſſed or written, ſix pence; upon which any declaration, plea, replication, rejoinder, demurrer, or other pleadings whatſoever, in any court of law engroſſed or written, one penny; upon which any copy thereof ſhall be written or engroſſed, one penny; upon which any depoſitions in chancery or exchequer (except paper drafts of depoſitions taken by any commiſſion before engroſſed) not herein before charged, or upon which any copy of any bill, anſwer, plea, demurrer, replication, rejoinder, interrogatories, depoſitions, or other proceedings whatſoever in any court of equity, engroſſed or written, one penny; upon which a copy, atteſted by the proper officer of the prerogative or any eccleſiaſtical court, of any will, engroſſed or written, one penny; upon which engroſſed or written any certificate or debenture for drawing back any cuſtoms or duties for or in reſpect of the re-ſhipping or exporting of any goods or merchandizes, which from and after the 25th of March 1774, ſhall be exported or ſhipped to be exported from Ireland beyond ſeas, to be paid by the perſon

Copy of affidavit filed or read, 6d.

deeds (not otherwiſe charged) 1s. except for binding poor children;

writs, proceſs, 6d.

entry of action in corporation courts, &c. 6d.

rule or order of court 6d. except on indictment or preſentment.

Copies of proceedings, 6d.

proceedings in prerogative, eccleſiaſtical, or admiralty court, or copies 6d.

except ſeamens wages;

policies, obligations, notarial acts, &c. 6d.

pleadings at law 1d.

copy 1d.

depoſitions or copy of proceedings in equity 1d.

atteſted copy of wills 1...

drawback 4d.

ſon for whoſe benefit, or at whoſe inſtance ſuch debenture or certificate obtained, four pence; for every almanack or calendar for any one particular year, or any time leſs than a year, printed on one ſide only of any one ſheet or piece of paper only, one penny; for every other almanack or calendar for any one particular year, two pence: provided, that for every printed almanack or calendar for ſeveral years the reſpective rates aforeſaid ſhall be paid for every ſuch year. For all pamphlets, and news-papers containing publick news, intelligence, or occurrences, printed in this kingdom to be diſperſed and made publick, not exceeding one whole ſheet, one halfpenny ſterling every printed copy; for every ſuch pamphlet or paper larger than one whole ſheet, and not exceeding ſix in octavo, or in a leſſer page, or not exceeding twelve in quarto, or twenty in folio, ſo printed, a duty after the rate of one ſhilling ſterling for every ſheet of any kind of paper contained in one printed copy or impreſſion; for every advertiſement in or publiſhed with any Gazette, news-paper, or journal publiſhed weekly or oftener, or in any other printed paper or pamphlet whatſoever, diſperſed or made publick yearly, monthly, or any other interval of time, two pence ſterling.

almanacks on one ſide of a ſheet 1d. others 2d. for every year.

Pamphlets, news-papers, of one ſheet one halfpenny;

not above 6 octavo, 12 quarto, 20 folio, 1s. a ſheet;

advertiſements 2d.

II. *ſect.* 2. Every deed, inſtrument, note, memorandum, letter, or other muniment or writing for or relating to payment of any ſum, or making any valuable conſideration for or upon the loſs of any ſhip, veſſel, goods, wages, money, effects, or upon any loſs by fire, or for any loſs whatſoever, or for or upon any life or lives, conſtrued, deemed, and adjudged policies of aſſurance within the meaning of this act.

Writings for any conſideration on any loſs, or on lives, deemed policies.

III. *ſect.* 3. Every deed, inſtrument, note, memorandum, letter, or other muniment, or writing between the captain or maſter, or owner of any ſhip or veſſel, and any merchant, trader or other perſon in reſpect to the freight or conveyance of any money, goods, wares, merchandizes, or effects, laden or to be laden on board of any ſuch ſhip or veſſel, deemed and adjudged a charter party within the meaning of this act.

Writings as freight on board ſhips, charter-parties.

IV. *ſect.* 4. And for preventing abuſes by arreſting without writ or legal proceſs to juſtify the ſame, by means whereof the duty hereby given to the crown upon ſuch proceſs will be loſt, from and after the 25th of March 1774, every officer or clerk belonging, or which ſhall hereafter belong, to the king's bench, common pleas, or exchequer, who ſhall ſign any writ or proceſs before judgment to arreſt any perſon thereupon, ſhall at the ſigning thereof ſet down upon ſuch writ or proceſs the day and year of the ſigning; which ſhall be entered upon the remembrance, or in the book where the abſtract of ſuch writ or proceſs ſhall be entered, upon pain to forfeit ten pounds for every offence or neglect of ſuch officer or clerk; to be recovered by any perſon who ſhall ſue for the ſame in any court of record, by action of debt, bill, plaint, or information, wherein no wager of law, protection, or eſſoign, or more than one imparlance allowed.

Time of ſigning writ or proceſs to arreſt, ſet down, and entered; penalty 10 l. to proſecutor.

V. *ſect.* 5. All books and pamphlets, ſerving chiefly for the purpoſe of an almanack, by whatſoever name intitled or deſcribed, charged with the duty impoſed by this act on almanacks, but not with any of the duties on pamphlets, or any other printed papers, any thing herein to the contrary notwithſtanding.

Pamphlets for almanacks charged as ſuch.

VI. *ſect.* 6. Provided always, that this act ſhall not extend to charge any bills of exchange, accompts, bills of parcels, of fees, or any bills or notes (not

Bills or notes excepted.

(not ſealed) for payment of money at ſight, or upon demand, or at the end of certain days of payment.

And probate or adminiſtration of ſeamen or ſoldiers in ſervice, on officers certificate, and oath of the truth.

VII. *ſect.* 7. Provided alſo, that nothing in this act ſhall extend to charge the probate of any will, or letters of adminiſtration of any common ſeaman or ſoldier, who ſhall be ſlain or die in his majeſty's ſervice, a certificate being produced from the captain or commander of the ſhip or veſſel, or captain or commanding officer of the troop or company, under whom ſuch ſeaman or ſoldier ſerved at his death, and oath (or, if a quaker, a ſolemn affirmation) ſhall be made of the truth thereof before the proper judge or officer, by whom ſuch probate or adminiſtration ought to be granted; which ſuch judge or officer is hereby authorized and required to adminiſter, and for which no fee or reward taken.

And paupers.

VIII. *ſect.* 8. Provided alſo, that none of the rates, duties, or ſums before in this act, ſhall be raiſed, levied, collected, or paid, or payable by any perſon admitted to ſue or defend in *forma pauperis*.

And juſtices warrant, or recognizance, or court-martial proceedings on ſoldiers.

IX. *ſect.* 9. Provided alſo, that this act, or any clauſe therein contained, ſhall not be conſtrued to charge with any duty any warrant by, or recognizance before any juſtice of peace, or any proceedings of any court martial which relate to any trial of any common ſoldier, but ſuch warrants, recognizances, and proceedings, ſhall be exempted from payment of any of the duties before mentioned.

And acts of parliament or of ſtate, votes, or orders of either houſe, books of ſchools, or devotion, ſingle advertiſements, bills of imports and exports; and of mortality.

X. *ſect.* 10. Provided alſo, that this act ſhall not extend to charge any acts of parliament, proclamation, order of council, forms of prayer and thankſgiving, or any acts of ſtate ordered by his majeſty, his heirs or ſucceſſors, to be printed, or the printed votes, or other matters ordered to be printed by either houſe of parliament, with any of the ſaid duties on pamphlets or news-papers, or to charge any books commonly uſed in any of the ſchools of Ireland, or containing only matter of devotion or piety, with the ſaid duties on pamphlets, or to charge any ſingle advertiſement printed by itſelf, or the daily accounts, or bills of goods imported and exported, or the weekly bills of mortality (ſo as ſuch accounts or bills contain no other matters than what uſually compriſed therein) with any the duties aforeſaid, any thing herein to the contrary notwithſtanding.

Commiſſioners appointed by chief governor;

XI. *ſect.* 11. And for the more effectual levying, collecting, and paying the ſeveral duties hereby granted, it ſhall be lawful for his majeſty, or the lord lieutenant or other chief governors, from time to time to nominate and appoint ſuch perſons, as *they* ſhall think fit, to be commiſſioners or officers for ſtamping and marking parchment, vellum, and paper, and managing the duties thereupon; and the commiſſioners ſhall keep their head office in ſome convenient place within Dublin; and the commiſſioners, or major part, are impowered under hands and ſeals to appoint ſuch other inferior officers, with conſent and approbation of the lord lieutenant, or other chief governors, for marking or ſtamping vellum, parchment, and paper, or for better collecting or levying the duties hereby granted, as they ſhall think proper; and the ſaid commiſſioners ſhall thirty days before the 25th of March 1774, provide ſeveral marks or ſtamps, differing from each other, for the ſeveral and reſpective duties hereby granted, with which all vellum, paper and parchment, upon which any of the things herein before charged ſhall be engroſſed or written, ſhall be ſtamped and impreſſed; which ſeveral ſtamps and marks ſhall be publiſhed by proclamation under the great ſeal, a convenient time before the 25th of March 1774, that all perſons may have due notice; and

to keep head office in Dublin;

appoint inferior officers with conſent of chief governor;

30 days before 25 March 1774, provide different ſtamps;

publiſhed by proclamation before 25 Mar. 1774;

the

the ſaid marks or ſtamps, or any of them, ſhall or may be altered or renewed from time to time, as his majeſty, his heirs, and ſucceſſors, or the lord lieutenant, or chief governors think fit, ſo as publick notification thereof be given by proclamation as aforeſaid. And all courts of juſtice and judges whatſoever ſhall without any allegation or proof take judicial notice of the proclamations iſſued by virtue of this act, and of all the types, marks, and ſtamps, thereby publiſhed, as and for the true and lawful types, marks, and ſtamps in purſuance of this act.

altered or renewed by chief governor, on proclamation;

judicial notice thereof.

XII. *ſect.* 12. The commiſſioners, in providing the ſaid marks and ſtamps ſhall take care, they be ſo contrived, that the impreſſion may be durable, and leaſt liable to be forged or counterfeited.

Impreſſion durable, and leaſt liable to forgery.

XIII. *ſect.* 13. The commiſſioners ſhall appoint a fit perſon to attend in any court or office to take notice of the vellum, parchment, or paper, upon which any of the matters aforeſaid ſhall be engroſſed, written, or put, and of the marks or ſtamps thereupon, and of all other matters tending to ſecure his majeſty's duties by this act; and the judges, and ſuch others to whom it may appertain, at requeſt of the commiſſioners, or two or more of them, ſhall make ſuch orders in the reſpective courts, and do ſuch other things for ſecuring ſaid duties, as ſhall be lawfully and reaſonably deſired; and every commiſſioner and other officer, before he proceeds to the execution of this act, ſhall take the oath following:

Officer appointed to take notice;

orders in courts at commiſſioners requeſt;

oath by commiſſioners and officers.

*I A. B. do ſwear, that I will faithfully execute the truſt repoſed in me purſuant to an act of parliament, intituled,* an act for granting to his majeſty, his heirs, and ſucceſſors, ſeveral duties upon vellum, parchment and paper, *without fraud or concealment, and will from time to time true account make of my doings therein, and deliver the ſame to ſuch perſon or perſons as his majeſty, his heirs or ſucceſſors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being ſhall appoint to receive ſuch account, and will take no fee, reward, or profit for the execution or performance of the ſaid truſt, or the buſineſs relating thereunto, from any perſon or perſons other than ſuch as ſhall be paid or allowed by his majeſty, his heirs or ſucceſſors, or by ſome other perſon or perſons for that purpoſe authorized by his majeſty, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being.*

And ſuch oath ſhall be adminiſtered to any commiſſioner by any two or more of the ſame commiſſioners, whether they have taken the ſame previouſly or not; and any of the commiſſioners or any juſtice of peace ſhall adminiſter the like oath to any ſubordinate officer.

XIV. *ſect.* 14. The ſaid commiſſioners or officers, and all ſub-commiſſioners and officers employed or intruſted by or under them, ſhall obſerve and perform ſuch rules, methods, and orders, as they receive from time to time from the lord lieutenant or other chief governor; and the ſaid commiſſioners ſhall take ſpecial care, that the ſeveral parts of this kingdom ſhall from time to time be ſufficiently furniſhed with vellum, parchment, and paper, ſtamped or marked as aforeſaid, ſo as his majeſty's ſubjects may have it in their election to buy the ſame of the officers or perſons employed by the ſaid commiſſioners at the uſual or moſt common rates above the ſaid duty, or to bring their own to be ſtamped as aforeſaid, or to furniſh themſelves or others that ſhall have done the ſame.

Rules and orders of chief governor obſerved;

commiſſioners to furniſh vellum, &c.

election to buy the ſame or bring their own.

XV. *ſect.*

All proceedings and writings as uſual.

XV. *ſect.* 15. And that his majeſty may not be defrauded; all records, writs, pleadings, and other proceedings in courts of law and equity, and all deeds, inſtruments, and writings whatſoever, hereby charged, ſhall be engroſſed or written in ſuch manner, as they have been uſually accuſtomed, or are now written.

Vellum, &c. before writing brought to head office to be ſtamped; ſtamped forthwith without fee, paying duties.

XVI. *ſect.* 16. All vellum, parchment, and paper hereby intended to be charged, ſhall, before any of the things herein before mentioned ſhall be thereupon engroſſed or written, be brought to the head office to be ſtamped and marked; and the commiſſioners and officers are required upon demand of the perſon ſo bringing the ſame forthwith without fee or reward to ſtamp or mark any quantities or parcels, ſuch perſon paying to officers appointed, the duties hereby directed to be paid.

Stamping before payment, penalty 100l. to king and proſecutor.

XVII. *ſect.* 17. If any commiſſioner or officer, ſhall fix any ſuch mark, or ſtamp to any vellum, parchment, or paper, before the duties duly anſwered and paid or ſecured, he ſhall for every ſuch offence forfeit one hundred pounds; one moiety to his majeſty, the other to him or them that ſhall inform or ſue in any courts of record.

Writing without ſtamp, or ſtamped for lower duty, 10l. above duty;

XVIII. *ſect.* 18. If any perſon ſhall engroſs or write, or cauſe to be engroſſed or written, upon any vellum, parchment, or paper, any of the things, for which ſaid vellum, parchment or paper is hereby charged, before the ſaid vellum, parchment, or paper marked or ſtamped, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or ſhall engroſs or write, or cauſe to be engroſſed or written, any thing upon any vellum, parchment, or paper, ſtamped or marked for any lower duty, than the duty by this act payable for what ſo engroſſed or written, there ſhall be duly anſwered and paid to his majeſty, over and above the duty aforeſaid, for every ſuch deed, inſtrument, or writing, ten pounds; and no ſuch record, deed, inſtrument, or writing ſhall be pleaded or given in evidence in any court, or admitted in any court good or available in law or equity, until as well the ſaid duty as the ſaid ten pounds firſt paid, and a receipt for the ſame of ſome of his majeſty's officers, appointed to receive the duties above mentioned, and until the vellum, parchment, or paper on which ſuch deed, inſtrument, or writing made, ſhall be marked or ſtamped with a lawful ſtamp; and the proper officers are required upon payment or tender of ſaid duty and ten pounds, to give a receipt, and to mark with the ſtamp proper for ſuch deed, inſtrument, or writing.

not admitted till payment and ſtamped;

Officer to give receipt and ſtamp upon payment.

Clerk or officer, writing without proper ſtamp, or with counterfeit, or for lower duty, diſabled;

XIX. *ſect.* 19. In caſe any clerk, officer, or perſon, in reſpect of any publick office or employment intitled or intruſted to make, engroſs, or write any records, deeds, inſtruments, or writings, by this act charged to pay a duty, ſhall be guilty of any fraud or practice to deceive his majeſty of any duty by this act payable, by making, engroſſing, or writing any ſuch record, deed, inſtrument, or writing, or cauſing the ſame upon vellum, parchment, or paper, not marked or ſtamped according to this act, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or marked with any ſtamp, which he ſhall know counterfeited, or by engroſſing or writing any ſuch deed, inſtrument, or other writing upon vellum, parchment, or paper, marked or ſtamped for a lower duty as aforeſaid, every perſon ſo guilty, and being lawfully convicted, ſhall forfeit his office, place, or employment reſpectively, and be diſabled to hold or enjoy the ſame. And if any attorney, belonging to any court whatſoever, guilty of any ſuch fraud or practice, and convicted thereof, diſabled to practiſe as an attorney.

attornies diſabled.

XX. *ſect.*

XX. *ſect.* 20. If any perſon write or engroſs, or cauſe to be written or engroſſed, either the whole or any part of any thing, in reſpect whereof any duty payable by this act, upon any part of any piece of vellum, parchment, or paper, whereon there ſhall have been before engroſſed, written, or printed, any other matter or thing, in reſpect whereof any duty is payable by this act, before ſuch vellum, parchment, or paper again marked or ſtamed according to this act, or ſhall fraudulently eraſe, or cauſe to be eraſed, the name of any perſon, or any ſum, date, or other thing engroſſed, written, or printed in ſuch inſtrument, writing, matter, or thing, or fraudulently cut, tear, or get off any mark or ſtamp from any piece of vellum, parchment, or paper, or any part thereof, with intent to uſe ſuch ſtamp or mark for any other writing or thing, in reſpect whereof any duty payable by act, every perſon ſhall for every ſuch offence forfeit fifty pounds.

Writing before again ſtamped, eraſing any thing, taking off ſtamp, penalty 50l.

XXI. *ſect.* 21. Provided always, as often as his majeſty, or the lord lieutenant, or other chief governor ſhall alter or renew the ſaid ſtamps, or any of them, it ſhall be lawful for all perſons, who ſhall at that time have in their poſſeſſion any vellum, parchment or paper, marked with the ſtamp ſo altered or renewed, and upon which none of the things hereby charged ſhall have been engroſſed or written, within ſixty days after ſuch intention of renewing or altering publiſhed by proclamation, to bring or ſend ſuch vellum, parchment, or paper unto the commiſſioners to the head office in Dublin, or to ſuch officers as appointed; and the ſaid commiſſioners and officers are required to deliver unto the ſeveral perſons, the like quantity of vellum, parchment, or paper, and as good in quality, ſtamped with ſuch new ſtamp or mark, without demanding or taking directly or indirectly for the ſame any money or other conſideration whatſoever, under the penalty of forfeiting for every offence one hundred pounds; to be ſued for, recovered, and divided as the other penalties in this act. And in caſe any perſon neglect or refuſe within the time aforeſaid to bring, or cauſe to be brought and delivered, unto the ſaid commiſſioners and officers, any ſuch vellum, parchment, or paper, the ſame is declared of no other effect or uſe than if never ſtamped; and all things after engroſſed or written thereon ſhall be of no other effect, than if vellum, parchment, or paper, not marked or ſtamped at all; and all perſons who ſhall engroſs or write any of the things hereby charged on ſuch vellum, parchment, or paper, after the ſaid time, ſhall forfeit and ſuffer, as before enacted for perſons writing or engroſſing on vellum, parchment, or paper, not marked or ſtamped.

On altering ſtamps, paper, &c. in poſſeſſion brought to the office, no writing in 60 days after proclamation, like quantity and quality with new ſtamp given without fee, penalty 100l.

if not brought, deemed not ſtamped.

XXII. *ſect.* 22. Provided always, as often as his majeſty, the lord lieutenant, or chief governor ſhall alter the ſaid ſtamps, the proclamation, intended for giving due notice, ſhall within twenty days after date be ſent to the mayor, chief magiſtrate, or other head officer of every city, corporation, borough, and market-town, which officers reſpectively ſhall cauſe the ſame to be publiſhed to the inhabitants, either on the next market-day or next Sunday in the church immediately after divine ſervice, upon pain of forfeiting fifty pounds, by action of debt, bill, plaint, or information in any of his majeſty's courts of record at Dublin, wherein no eſſoign, protection, wager of law, privilege, or more than one imparlance allowed; the one moiety to his majeſty, the other to ſuch perſon who ſhall ſue.

On altering ſtamps proclamation in 20 days after date ſent to chief magiſtrates, publiſhed next market or Sunday, penalty 50l. to king and proſecutor.

XXIII. *ſect.* 23. And for better diſtribution of ſaid vellum, parchment, and paper, and that the ſubjects may have the ſame with more convenience,

Chief governor to ſet price of ſtamped paper, &c. yearly at leaſt;

and at an eaſy rate, the lord lieutenant or other chief governor, ſhall once every year at leaſt ſet the prices of all ſorts of ſtamped vellum, parchment, or paper, at which the ſame ſhall be ſold; and the ſaid commiſſioners for managing the ſaid duties, ſhall ſtamp the ſaid price ſo ſet upon every skin or piece of vellum or parchment, or ſheet or piece of paper ſo by them to be ſold; and likewiſe allow and pay to every perſon, that ſhall bring vellum, parchment, or paper to the ſaid head officer to be ſtamped in purſuance of this act (the duties whereof hereby impoſed ſhall amount to ten pounds or upwards) after the rate of ſix pounds in the hundred *per annum* for ſix months, upon preſent payment of ſaid duty upon ſaid vellum, parchment, or paper ſo brought; and any perſon who ſhall buy of the commiſſioners or agents vellum, parchment, or paper, at the head office for ſtamping, the duty whereof ſhall amount to ten pounds or upwards, ſhall have the ſame allowance for preſent payment.

the price ſtamped;

allowance for preſent payment where the duty, 10l.

XXIV. *ſect.* 24. And for better collecting and ſecuring the duties on ſuch pamphlets containing more than one ſheet of paper, one printed copy of every ſuch pamphlet, which after the ſaid 25th of March ſhall be printed or publiſhed within the city of Dublin, ſhall within ſix days after printing thereof be brought to the head office for marking or ſtamping; and the title, with the number of ſheets, and the duty, ſhall be regiſtered in a book there kept for that purpoſe; which duty ſhall be thereupon paid to the proper officer, or deputy or clerk, who ſhall thereupon forthwith give a receipt on ſuch printed copy, to denote the payment of the duty; and one printed copy of every ſuch pamphlet, that ſhall be printed or publiſhed in any place, not within the city of Dublin, ſhall within the ſpace of fourteen days after printing thereof be brought to ſome head collector of ſaid ſtamp duties, who is required forthwith to enter the title with the number of ſheets, and the duty in a book for that purpoſe; which duty ſhall be thereupon paid to ſuch collector, who ſhall thereupon give a receipt on ſuch printed copy.

Copy of pamphlets above 1 ſheet, brought to the office in 6 days after printing;

title, number, and duty regiſtered; duty paid, receipt indorſed;

if not printed in Dublin, 14 days after to head collector.

XXV. *ſect.* 25. If any ſuch pamphlet ſhall be printed or publiſhed, and the duty not duly paid, and the title and number of ſheets not regiſtered, and a receipt for ſuch duty on one copy within the reſpective times before limited, the printer and publiſher, and all other perſons concerned in or about the printing or publiſhing of ſuch pamphlet, ſhall for every ſuch offence forfeit twenty pounds.

Penalty 20l.

XXVI. *ſect.* 26. No perſon whatſoever ſhall ſell or expoſe to ſale any ſuch pamphlet, or any news-paper, without the true reſpective name or names, and place or places of abode, of ſome known perſon or perſons, by or for whom the ſame was truly printed or publiſhed, written or printed thereon; upon pain that every perſon offending herein ſhall for every ſuch offence forfeit twenty pounds.

Selling pamphlets or news without real printer's name and abode 20l.

XXVII. *ſect.* 27. No officer ſhall ſell or deliver any ſtamped paper for printing any pamphlet, or publick news intelligence, or occurrences in one in one ſheet or any leſſer piece of paper, unleſs ſuch perſon ſhall give ſecurity to ſaid officer, for payment of the duties for the advertiſements, which ſhall be printed therein or thereupon.

Security for duties for advertiſements in pamphlets or news in 1 ſheet.

XXVIII. *ſect.* 28. And in regard of the incertainty how many copies of the ſaid printed news-papers, to be contained in one ſheet or in a leſſer piece of paper, may be ſold; and to intent the duties may not be leſſened by printing a leſs number, than may be ſold, out of fear of loſs thereby in printing more

Stamps on news or pamphlets of one ſheet or leſs remaining unſold, cancelled;

ſuch

ſuch copies than may happen to be ſold, the commiſſioners, or major part, or ſuch head officers as they with ſuch approbation ſhall appoint, may cancel all ſtamps upon copies of any impreſſion of ſuch news-paper or pamphlet contained in one ſheet, or leſſer piece, which ſhall really and truly remain unſold in the hands of the perſon by or for whom printed or publiſhed, and upon oath (or, if by a quaker, ſolemn affirmation) before the commiſſioners or major part, or ſuch head officer, that all ſuch copies, containing the ſtamps ſo tendered to be cancelled, are really and truly remaining unſold in the hands of the perſon by or for whom printed or publiſhed, and that none of ſaid copies have been fraudulently returned or rebought, or any profit or advantage made thereof; which oath or affirmation the commiſſioners, or major part, and head officers, are authorized to adminiſter, and to examine upon oath or affirmation into all circumſtances relating to the ſelling or diſpoſing of ſuch printed copies, ſhall cauſe to be delivered the like number of other ſheets, half-ſheets, or leſs pieces of paper properly ſtamped with the ſame reſpective ſtamps, upon payment made for ſuch paper, but no duty ſhall be taken for the ſtamps thereon: and ſaid commiſſioners are impowered from time to time to make ſuch rules and orders for regulating the methods, and limiting the times, for ſuch cancelling and allowance, as they ſhall upon experience and conſideration of the ſeveral circumſtances find neceſſary or convenient for ſecuring the duties thereon, and doing juſtice to the perſons concerned in printing and publiſhing.

on oath thereof, and of no fraud;

like number of ſtamped ſheets given, paying the paper only;

rules from time to time for cancelling.

XXIX. *ſect.* 29. The commiſſioners and other officers for managing ſtamped duties ſhall deliver to any perſon, by or for whom any almanack printed, paper marked or ſtamped according to the true intent and meaning hereof, for the printing ſuch almanack, upon giving ſufficient ſecurity to pay the amount of the duties within three months after ſuch delivery; and upon bringing to them any number of the copies of ſuch almanacks, within three months from ſaid delivery, and requeſt made, ſhall cancel all the ſtamps upon ſuch copies, and abate to ſuch perſon ſo much of the money due upon ſuch ſecurity, as ſuch cancelled ſtamps amount to.

Stamped paper for almanacks delivered on ſecurity to pay duties in 3 months;

and cancel ſtamps of thoſe brought in 3 months, and abate ſo much.

XXX. *ſect.* 30. Provided always, where any almanack ſhall contain more than one ſheet, it ſhall be ſufficient to ſtamp only one of the ſheets of paper, upon which ſuch almanack printed, and to pay the duty accordingly.

Almanacks, only 1 ſheet, ſtamped.

XXXI. *ſect.* 31. After the 25th of March 1774, in caſe any perſon ſhall ſell, hawk, carry about, utter, or expoſe to ſale any almanack or calendar, or any news-paper, book, pamphlet, or paper deemed or conſtrued to be, or ſerving the purpoſe of an almanack or news-paper within the intention and meaning of this act, not ſtamped or marked, as by this act directed, every ſuch perſon ſhall for every offence forfeit forty ſhillings; recovered in a ſummary way before any juſtice, who is authorized to hear and determine the ſame; and upon due proof and default of payment, to commit offender to priſon not exceeding one month without bail or mainprize.

Selling almanack or news unſtamped, penalty 40s. before a juſtice;

on default impriſoned not above 1 month.

XXXII. *ſect.* 32. After the 23th of March 1774 all perſons, who ſhall print or publiſh, or cauſe to be printed or publiſhed, any advertiſements in any pamphlet, news-paper, or other literary performance, ſhall within forty days after pay the duty to the reſpective perſons, to whom the ſame ought to be paid, that is to ſay, to the perſon to whom the ſame appointed to be paid by the commiſſioners, or to his deputy or clerk, the duties for all ſuch advertiſements as ſhall be ſo printed or publiſhed within Dublin, and to the

Duty for advertiſements paid in 40 day.

or treble duty with full coſts.

next adjacent head officer, appointed for collection of the ſaid ſtamp duties, the duties charged for and upon all ſuch advertiſements printed or publiſhed in any place out of the limits of the ſaid city; and the commiſſioners and officers laſt mentioned, or ſuch of them to whom it ſhall appertain, are required, upon payment of the duties, to give receipts for the duties charged thereupon; and in default of ſuch payment within the time before limited, the printer or publiſher of every ſuch advertiſement liable to pay treble the duties before by this act chargeable, to be recovered with full coſts of ſuit.

Counterfeiting ſtamps felony.

XXXIII. *ſect.* 33. If any perſon counterfeit or forge any ſtamp or mark to reſemble any ſtamp or mark, provided, made or uſed in purſuance of this act, or ſhall counterfeit or reſemble the impreſſion of the ſame, upon any matter hereby directed to be ſtamped, thereby to defraud his majeſty, of any of the duties granted, or ſhall utter, vend, or ſell, any vellum, parchment, or paper, with ſuch counterfeit mark or impreſſion, knowing ſuch impreſſion counterfeited, every perſon ſo offending, and convicted in due form of law, ſhall be judged a felon, and ſuffer death as in caſes of felony, without benefit of clergy.

Salaries and charges paid out of duties.

XXXIV. *ſect.* 34. It ſhall be lawful for his majeſty, the lord lieutenant, or other chief governor, out of the duties ariſing by this act to cauſe ſuch ſums to be expended from time to time for ſalaries and other incident charges, as ſhall be neceſſary in and for the receiving, collecting, levying, or managing the ſame duties; any thing in this act to the contrary notwithſtanding.

Diſtinct accounts kept;

payment in ſpecie to treaſury the firſt Monday monthly, if a holiday, the next day;

in other parts, to collector of exciſe;

receipts by collectors without fee,

and diſtinct accounts kept;

notice of payment in 6 days to commiſſioners;

officers not paying incapable,

and charged 12 *per cent.*

XXXV. *ſect.* 35. All officers, concerned in levying, collecting, and receiving the duties ariſing by this act, ſhall keep ſeparate and diſtinct accounts thereof; and the ſeveral perſons employed to collect and levy in the city and county of Dublin, ſhall pay the ſame in ſpecie into his majeſty's treaſury on the firſt Monday every month, unleſs a holy day, and then the next day after, which ſhall not be a holy day; and in other parts of this kingdom ſhall pay the ſame in like manner to the ſeveral collectors of the inland exciſe of the diſtricts, in which received and collected; which ſaid collectors are required to receive, and give receipts for the ſame, without fee or reward, and to keep diſtinct accounts thereof; and every ſtamp officer ſhall in ſix days after making any payment into his majeſty's treaſury, or to any of the ſaid collectors, give notice of the amount of ſuch payments to the commiſſioners of ſtamps; and if ſaid officers, or any of them, neglect or refuſe to pay at the time, or in manner aforeſaid, or detain all or any part of the monies by them collected and received, he or they ſhall be diſmiſſed from their employment, and rendered incapable to ſerve his majeſty, his heirs and ſucceſſors, and be charged with intereſt for the monies ſo detained in their hands, after the rate of twelve pounds *per centum per annum.*

Diſtinct regiſter kept in treaſury.

XXXVI. *ſect.* 36. There ſhall be provided and kept in his majeſty's treaſury one book, in which all monies, paid into the treaſury by this act, entered and regiſtered apart from all other monies paid or payable to his majeſty upon any account whatſoever.

Duties not paid to commiſſioners, collectors to account once a year to commiſſioners for impreſt accounts;

XXXVII. *ſect.* 37. None of the duties granted by this act ſhall be received or collected by, or paid to, ſaid commiſſioners of ſtamps; and the ſeveral perſons, employed in receiving, collecting, or paying the duties, ſhall once in every year, during the continuance of this act, exhibit their

reſpective

reſpective accounts thereof to the commiſſioners for taking impreſt accounts for the time being, who ſhall examine upon oath the ſaid accountants, what ſums were by them or any of them reſpectively raiſed, collected, or received within the time of ſuch their accounts, and what part thereof was by them paid into the treaſury, or to the collector of inland exciſe; and in making the ſaid accounts, they are to produce proper vouchers for any ſums ſo by them raiſed, received, and paid; and the ſaid commiſſioners of impreſt accounts are required finally to adjuſt and ſettle ſaid accounts, and to give diſcharges to ſaid ſeveral accountants.

examined on oath;

produced vouchers:

XXXVIII. *ſect.* 38. The accounts of the money received for the ſeveral duties ſo audited, ſhall be ſigned by ſaid commiſſioners of accounts, and be at all times to the ſaid officers, a full and ſufficient warrant and diſcharge.

Accounts audited and ſigned a full diſcharge.

XXXIX. *ſect.* 39. All penalties incurred, unleſs otherwiſe directed by this act, may be recovered by any perſon, who ſhall ſue by action of debt, bill, plaint, or information in any courts of record at Dublin; in which no eſſoign, protection, privilege, or wager of law, or more than one imparlance allowed.

Penalties (unleſs otherwiſe directed) to proſecutor.

XL. *ſect.* 40. Neither the ſix pence *per* pound, nor any other fee, ſhall be payable to or deducted or received by the vice-treaſurer, receiver or paymaſter general, clerk of the pells, or any other officer, of this kingdom, for or on account of the iſſuing or payment of any ſum ariſing by, or received for, or on account of the aids hereby granted, or of any payment in purſuance of this act, but the ſame ſhall be duly accounted for to his majeſty, his heirs and ſucceſſors.

No fees.

## Taxes.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 19. *ſect.* 1. Whereas a doubt hath ariſen, whether all buildings for charitable purpoſes, and other publick buildings in counties of cities and towns are not liable to be valued and charged with a proportion of taxes and rates; no hoſpitals, publick infirmaries, alms-houſes, charity-ſchools, publick work-houſes, cuſtom-houſes, or offices appurtenant thereunto, and no publick exchanges, mayoralty-houſe, publick market-houſes, ſhambles for ſale of fleſh or fiſh, the king's barracks and guard-houſes, publick coal-yards, and gaols, and houſes of correction now built, or hereafter to be built, ſhall be included in any valuation hereafter made by valuators under any act of parliament, nor ſhall be charged with any part or proportion of ſuch rates or taxes; and in caſe any of them have been valued under ſaid act in any valuation heretofore made, the ſame ſhall be ſtruck out of ſuch valuation.

Publick buildings not charged with rates or taxes by valuators under any act of parliament.

II. *ſect.* 2. Inſtead of the oath now taken the following oath ſhall be taken by every valuator, hereafter to be appointed under ſaid acts.

*I* A. B. *do ſwear, that I will, to the beſt of my knowledge, ſkill, and judgment, execute the office of a valuator of dwelling-houſes, offices, cellars, ſtables, linneys, and yards in the city of and in the town of and ſuburbs thereof, without favour, affection, malice or ill-will to any perſon or perſons whatſoever.*

Valuator's oath.

*So help me God.*

III. *ſect.*

## Taxes.

not extended to an act this ſeſſion, c. 22.

III. *ſect.* 3. Nothing herein ſhall extend to an act paſſed this ſeſſion, intituled, *an act for paving the ſtreets, lanes, quays, bridges, ſquares, courts, and alleys within the city and county of the city of Dublin, and other places therein mentioned, and for other purpoſes.*

## Tea.

10000l. yearly of tea duties to truſtees of linen manufacture;
7300l. to hereditary revenue;
ſurplus with other aids to intereſt of loan due 25th Dec. 1773;
ſurplus as by parliament.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 2. *ſect.* 20. So much of the yearly produce of ſaid duties ariſing upon teas, as ſhall amount to ten thouſand pounds yearly, ſhall firſt be paid to truſtees of hempen and linen manufactures; and and ſo much of the reſidue as ſhall amount to ſeven thouſand three hundred pounds yearly, ſhall be placed to account of hereditary revenue; and ſurplus of the produce, with the ſeveral other duties and aids hereby granted, ſhall firſt be applied by the vice-treaſurer or deputies to pay the intereſt for ſo much of ſaid principal ſums formerly borrowed, as unpaid on the 25th of December 1773; and the ſurplus of ſaid duties applied as directed by parliament.

## Treaſurers.

Repeal of 33 G. 2. c. 13.
county treaſurers every aſſizes to lay accounts before grand jury,
diſtinguiſhing receipts and payments, as debtor and creditor;
debit with the laſt balance;
and arrears;
and preſentments, ſpecifying the purpoſes,
ſeparately ſtating ſums on baronies or counties,
with fines,
and ſums received;
credit for actual payments,
the ſums, times, and perſons, whether for county or barony,
for arrears, fines, and preſentments unpaid, diſtinguiſhing,
and ſtate balance;
verified by affidavit at the foot before a judge,

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 18. *ſect.* 1. After 24th June 1774, an act 33d of George ſecond, and every clauſe therein ſhall be repealed; and every clauſe therein ſhall be repealed; and every treaſurer of any county ſhall at every aſſizes for the county, (or, if in the county Dublin, at every term) lay before the grand jury a full, true, and clear ſtate of his accounts, and of all money received and paid by him as treaſurer, diſtinguiſhing the reſpective times of ſuch receipts and payments, drawn in the way of debtor and creditor; and ſhall therein debit himſelf with ſuch ſums, as ſhall have been the balance ſettled upon the laſt ſtating of the accounts, or ſhall have been handed over to him as the balance by the laſt treaſurer; and alſo with all arrears due by any collector, receiver, or other perſon; and with the amount of all ſuch ſums preſented to be raiſed at the preceding aſſizes (or iſſueable term, if in the county of Dublin) ſpecifying the ſeveral purpoſes for which the ſame was preſented, the ſeveral perſons to whom payable, and ſeparately ſtating the ſums to be raiſed upon each barony or half-barony by name, and upon the county at large; and further, with all fines due for uſe of ſaid county; and all ſums, if any, which he may have received as treaſurer, excluſive of ſuch arrears, preſentments of the laſt aſſizes, (or, iſſueable term if in the county of Dublin) and fines; and he ſhall in ſaid account take credit for all money actually paid by him ſince the laſt account, ſpecifying ſums paid, times of paying, perſons to whom and on what account paid, and whether for the county at large, or for what harony or half barony, and alſo for all arrears and fines unpaid to him, and for all ſuch part of ſums preſented at preceding aſſizes as not paid to him, diſtinguiſhing by whom due, and on what account, and finally ſhall ſtate the balance upon the whole; and at the foot thereof ſhall make an affidavit, ſworn before one of the judges of aſſize, (or of the king's bench, if in county of Dublin) that the above is a full and fair account, and that every article therein ſtated, is true, to the beſt of his knowledge and belief; which account

count and affidavit ſhall be lodged with the clerk of the crown attending ſaid aſſizes (or term at the king's bench, if in county of Dublin) to be kept among the records of the county; and ſaid clerk is required to enter a copy of ſaid account in a book for that purpoſe among records of the county; and he ſhall at the foot thereof enter the groſs amount of the queries on the query-book for ſaid aſſizes, or term if in the county of Dublin, that the ſame may be compared with ſaid account; and every grand jury may from time to time, as often as they think proper during aſſizes, or during any term, if in county of Dublin, examine their county treaſurer, or any other perſon upon oath adminiſtered in open court by the judge of aſſize, or in king's bench, if in county of Dublin, touching any voucher or other matter or thing relative to any part of ſaid accounts; and may enter in the book, wherein treaſurer's accounts are entered, ſuch obſervations thereon, or on ſaid account, as they think proper.

lodged with crown clerk;

querie entered; compared with account;

grand juries may examine treaſurer or others on oath in court,

and enter obſervations.

II. *ſect.* 2. Every treaſurer ſhall keep an office open from nine in the morning till three in the afternoon, in the town where aſſizes laſt held, or if in county of Dublin, in ſome place within the city or precincts, every day for eight days next after each aſſizes, (or each term, if in county of Dublin) Sundays only excepted, for the purpoſe of paying all perſons entitled to receive any publick money from him; and if any treaſurer omit to keep ſuch open office, or wilfully and unneceſſarily delay to pay any demand which, as treaſurer, he is required to pay; or accept, demand, or receive any money, matter, or other thing by way of premium, diſcount, or reward for paying any money as treaſurer, or make any deduction whatſoever in paying the ſame; or neglect to ſtate ſaid account, or neglect or refuſe to make the affidavit herein required at the foot, and to lay the ſame before the grand jury, or have knowingly made any falſe or unfair entry in ſaid accounts, or refuſe to be examined upon oath, and to anſwer all queſtions aſked by grand jury touching his accounts, or eraſe, alter, obliterate, efface, ſuppreſs, or deſtroy any paper account, affidavit, or book, which ſhall by any law now in force or hereafter to be enacted be ordered to be kept by him as treaſurer, or refuſe to pay any perſon legally intitled to receive publick money from him, provided he have money applicable to ſuch perſon in his hand, or ſhall be guilty of any unfair practice or miſbehaviour in execution of his office, he ſhall, upon conviction, by indictment or preſentment, be fined in any ſum not exceeding twenty pounds, and be diſmiſſed from his office, and declared incapable of being ever again elected or ſerving as treaſurer; and an entry of ſuch diſmiſſion ſhall be made in the crown book, and of entry of his accounts kept by clerk of the crown.

Office open by treaſurers from 9 till 3, where laſt aſſizes for 8 days after for payments;

not keeping open office, delaying payment, taking any reward, not ſtating account, nor affidavit, falſe entering, eraſing, &c. or any miſbehaviour, penalty on conviction not above 20l. and incapable;

diſmiſſion entered.

III. *ſect.* 3. After the 24th of June 1774, whenever the treaſurerſhip of any county vacant by death, reſignation, removal, or diſmiſſal of treaſurer, the juſtices of peace for ſuch county, or any ſeven, each having eſtate of freehold therein of the clear yearly value of one hundred pounds at leaſt, ſhall at the court or ſeſſion houſe between twelve in the forenoon and four in the afternoon on the firſt day of the next quarter-ſeſſions or aſſizes, which ever ſhall firſt happen after fourteen days immediately following ſuch vacancy, or in caſe the ſaid vacancy ſhall have happened within fourteen days preceding ſuch ſeſſions or aſſizes, or at any ſeſſions or aſſizes, or term if in county of Dublin, then on the ſecond Monday in the next calendar month after ſuch vacancy happened, at the court-houſe where the aſſizes laſt held, or

On vacancy 7 juſtices of 100l. a year freehold to elect a treaſurer by majority of votes at ſeſſion-houſe, between 12 and 4 the firſt day of next ſeſſions or aſſizes after 14 days; if within 14 days, &c. the ſecond Monday next month;

or at the ſeſſion-houſe, if in county of Dublin, between the aforeſaid hours aſſembled, and then and there by majority of votes of ſuch juſtices, as preſent, proceed to elect a fit or ſufficient perſon treaſurer of ſuch county; the ſenior juſtice preſent, qualified to vote at ſuch election, ſhall in every ſuch aſſembly preſide as chairman, and take votes of the other juſtices, adminiſter oath of qualification herein after mentioned, and ſhall not himſelf vote except in caſe of an equality of voices.

the ſenior chairman, to adminiſter oath, not to vote, but on equality.

IV. *ſect.* 4. No juſtice allowed to give his vote in any ſuch election, who ſhall be a candidate for ſuch treaſurerſhip, or who ſhall not firſt take the following oath, if required by any perſon preſent.

No candidate to vote.

Oath if required.

*I do ſwear, that I am a juſtice of the peace for the county of and that I have an eſtate of freehold in ſaid county, of the clear yearly value of one hundred pounds ſterling at the leaſt, above all charges payable out of the ſame.*

V. *ſect.* 5. No perſon, at any time hereafter elected treaſurer, ſhall be capable of ſerving in ſaid office, unleſs he ſhall immediately after election in open court enter into a recognizance before the chairman, and any other juſtice preſent, qualified as aforeſaid to vote at ſuch election (which recognizance they are hereby empowered to take) in ten thouſand pounds, in caſe the election be held for the treaſurerſhip of county of Dublin; five thouſand pounds, in caſe the election held for the treaſurerſhip of Cork or Meath; four thouſand pounds, in caſe the election held for Kerry; three thouſand five hundred pounds for Wexford or Derry; three thouſand pounds for Galway, Antrim, Armagh, Down, Kildare, Cavan, Mayo, Sligo, or Weſtmeath; two thouſand five hundred pounds for Donegal, Tipperary, Kilkenny, or Limerick; two thouſand pounds for Lowth, Tyrone, Roſcommon, Wicklow, Monaghan, Carlow, King's county, or Queen's county; one thouſand five hundred pounds for Fermanagh or Clare; and one thouſand pounds for Waterford, Longford, or Leitrim; and ſhall procure two ſufficient ſureties at ſame time to enter into a recognizance in like manner, each in a ſum equal to one half of the ſum in which ſuch treaſurer ſhall bind himſelf; the condition of which recognizance ſhall be, that ſuch treaſurer ſhall juſtly and truly account in manner and form, and at the times by this act required, or to be required by any law hereafter made relating to the ſame; that he ſhall at all times juſtly and truly pay and account for all money, he ſhall have received as treaſurer; and duly and faithfully diſcharge the duties of his office in every reſpect; and that he, his heirs, executors, or adminiſtrators, ſhall and will upon his death, reſignation, removal, or diſmiſſion, deliver to his ſucceſſor in office all books, papers, affidavits, and accounts, depoſited with, or kept by him as treaſure, and pay and hand over to ſaid ſucceſſor ſuch balance of money, as ſhall appear to be in his hands, or ſhall be due by him: and further, unleſs each of ſuch ſureties ſhall at the foot of their recognizance make affidavit reſpectively before the ſenior, or any juſtice preſent, who is hereby impowered to take the ſame, that he is really and *bona fide* worth the ſum in his recognizance, over and above all his juſt debts, and excluſive of any property of which he is tenant for life only; and that in default thereof ſuch election ſhall be null and void; and ſaid juſtices ſhall on the next day, and at ſame place, and between the ſame hours,

Recognizance by treaſurer immediately after election in court;

with 2 ſureties, each in half the ſum

conditioned to account, and pay, and diſcharge his duty;

and deliver all books, &c. and balance to ſucceſſor;

affidavit by ſureties at the foot of being worth the ſum above debts and tenancy for life only;

or election void, another next day;

hours, proceed in like manner to elect a proper and ſufficient perſon to be treaſurer: in caſe at any meeting for election of a treaſurer no proper or ſufficient perſon ſhall offer, or the perſon choſen, ſhall not comply with and perform all the requiſites herein directed; or ſeven juſtices, qualified as aforeſaid to vote, ſhall not attend, the juſtices of peace for ſuch county, qualified as aforeſaid, or any ſeven, ſhall on Monday next enſuing the time hereby directed for holding ſaid election, aſſemble and proceed to election; and in caſe no treaſurer choſen at ſuch aſſembly, then on the Monday following, and ſo on upon every ſucceeding Monday, until a treaſurer elected, capable of ſerving in ſaid office, and perform the requiſites aforeſaid; every recognizance ſhall be delivered by the chairman to the clerk of peace, who is required to attend every ſuch aſſembly, to be by him depoſited and duly entered in court of exchequer, as ſoon after as he conveniently can.

or every ſucceeding Monday till treaſurer choſen; recognizances delivered to clerk of peace, required to attend, depoſited in exchequer.

VI. *ſect.* 6. Every treaſurer of any county on the 24th of June 1774, ſhall at the next ſummer aſſizes or term, if in the county of Dublin, enter into a recognizance before one of the judges of aſſize, or king's bench, if in county of Dublin, conditioned as herein before enacted, in ſuch ſum, as together with the ſum he ſhall before have been bound in, ſhall amount to the ſum herein required, for any treaſurer to be elected for ſuch county, to enter into; and alſo procure two ſufficient ſureties at ſame time, to enter into a recognizance of the like condition, each in a ſum equal to one half of the ſum in which ſuch treaſurer ſhall then bind himſelf, and to make ſuch affidavit at the foot, as the ſureties are herein before required; and in default thereof the judge of aſſize, or king's bench, if in the county of Dublin, ſhall, and he is hereby required to diſmiſs ſaid treaſurer from his office, and to cauſe ſuch diſmiſſion to be entered in the crown-book, and book of entry of treaſurer's accounts.

Treaſurers on 24th June 1774 next aſſizes to give recognizance to make up the full ſum required; with like ſureties and affidavit, or diſmiſſed; diſmiſſion entered.

VII. *ſect.* 7. The judge of aſſize or king's bench, if in county of Dublin, ſhall every aſſizes or term, if required by the grand jury, examine the treaſurer, or any other perſons, in open court upon oath touching the exiſtence and property of his ſureties; and if any reaſon to apprehend either or both his ſureties are dead, or inſufficient, he ſhall require him to procure another ſurety or ſureties in his or their room. If ſuch treaſurer refuſe to be examined, or to anſwer upon oath, or to procure other ſureties, who ſhall enter recognizance, and make affidavit by this act required, he ſhall diſmiſs ſuch treaſurer from his office, and cauſe ſuch diſmiſſion to be entered in the crown-book, and book of entry of the treaſurer's accounts.

Exiſtence and property of ſureties examined on oath in court every aſſizes if required by grand jury; others procured, on default, diſmiſſed.

VIII. *ſect.* 8. No treaſurer of any county ſhall during continuance in office be capable of being clerk of the crown or peace, or ſhall exerciſe the office of a juſtice of peace therein, or be on a grand jury for ſuch county; and every recognizance taken at aſſizes, or term if in county of Dublin, by this act, ſhall within three months after ſuch aſſizes or term be depoſited and duly entered by the clerk of crown in court of exchequer; and every recognizance by virtue of the act hereby repealed, ſhall before the firſt of July 1774 in like manner be depoſited and duly entered in ſaid court, and be to all intents and purpoſes as valid and in as full force, as if ſaid act not repealed; and ſuch proceſs may iſſue thereon, and on every other recognizance to be entered in ſaid court by this act, as uſual in caſes of recognizances entered into in ſaid court.

No treaſurer, clerk of crown, peace, or juſtice, or on grand jury; recognizances in 3 months depoſited in exchequer; uſual proceſs thereon.

Money recovered on recognizance paid to treaſurer and accounted for.

IX. *ſect.* 9. All money at any time recovered on any of ſaid recognizances, ſhall be paid to the treaſurer of the county for the time being, for whoſe uſe ſuch recognizance was entered into, and be accounted for in his next accounts.

On diſmiſſion appointed by grand jury or a knight of the ſhire deemed ſucceſſor till new treaſurer elected, for receiving balance, books, &c. and money;

X. *ſect.* 10. Upon removal or diſmiſſion of any treaſurer, ſuch perſon as the grand jury ſhall appoint, which appointment every grand jury is hereby impowered to make, and in failure of ſuch appointment then one of the knights of the ſhire for ſuch county, ſhall, until a new treaſurer is elected and enters into office, be the treaſurer, and deemed the ſucceſſor in office to the perſon diſmiſſed, for the purpoſe of receiving from ſuch perſon ſo diſmiſſed all the balance of money in his hands, and the books, papers, affidavits, and accounts depoſited with or kept by him as treaſurer; and alſo receiving from the ſeveral collectors or other perſons money, as they would have been obliged to pay to ſaid treaſurer, had he continued in office, and for no other purpoſe whatſoever: all which balances, books, papers, affidavits, accounts, and money ſuch perſon is required to receive and detain, until a new treaſurer elected and enter into office, to whom he ſhall hand over and deliver the ſame.

delivered to new treaſurer.

Accounts evidence in proſecutions againſt treaſurer or ſureties.

XI. *ſect.* 11. The ſeveral accounts laid before the grand jury, and ſworn to by the treaſurer, ſhall in all actions, proſecutions, or ſuits againſt the treaſurer, or his ſureties, or his or their heirs, executors, or adminiſtrators, be allowed in all courts of law and equity as evidence againſt ſuch treaſurer and his ſureties, his and their heirs, executors, and adminiſtrators reſpectively.

Salaries to treaſurers preſented on counties.

XII. *ſect.* 12. It ſhall be lawful for the grand jury of every county, at aſſizes, or iſſueable terms, if in county of Dublin, to preſent to be raiſed upon the county at large, and paid to the treaſurer, ſuch ſums as ſhall not in the whole exceed in the year one hundred pounds in the counties of Cork and Dublin; ſixty pounds Meath and Kilkenny; ſeventy pounds Galway; forty pounds Kerry, Donegall, Derry, Tipperary, Armagh, Roſcommon, Wicklow, Fermanagh, Clare, Waterford, Antrim, and Mayo; thirty pounds Tyrone, Leitrim, Kildare, Cavan, Limerick, Louth, Monaghan, Weſtmeath, Carlow, King's County, and Wexford; twenty-five pounds Sligo; and twenty pounds Longford, Down, and Queen's County.

Clerk of peace not attending forfeit 10l. unleſs ſickneſs or neceſſity, by diſtreſs or preſident's warrant, paid to the infirmary.

XIII. *ſect.* 13. The clerk of peace ſhall attend every meeting of the juſtices of peace for electing a treaſurer for the county, under penalty of forfeiting for each offence (unleſs detained by ſickneſs, or unavoidable neceſſity) ten pounds, levied by diſtreſs or ſale of his goods or chattels by warrant under hand and ſeal of the juſtice preſiding, and paid to the infirmary of the county in which ſuch meeting held.

Crown clerk to enter copy of account, and immediately give copy to treaſurer of queries diſcharged without fee, and in 4 days copy of preſentments;

on default, or for not entering account and queries at the foot, fined 5l.

XIV. *ſect.* 14. Every clerk of the crown ſhall without fee or reward at each aſſizes (or term, if in the county of Dublin) enter a copy of treaſurer's accounts in manner herein directed, and immediately after the quere-book ruled by the judge of aſſize (or king's bench, give to the treaſurer a full and perfect copy of all queries diſcharged at ſaid aſſizes or term, ſigned by himſelf or deputy; and ſhall within four days after each aſſizes (or iſſueable term) give treaſurer a copy of all preſentments made and allowed at ſaid aſſizes (or term) for raiſing or paying money ſigned likewiſe by himſelf or deputy; and in caſe he neglect to give the ſame or either of them at the times aforeſaid, or to enter ſaid account, or groſs amount of queries on the

query-

query-book for ſaid aſſizes (or term) at foot thereof, and proof of any ſuch neglect made to ſatisfaction of the judge of aſſize, or king's bench (if in the county of Dublin) he ſhall be fined in any ſum, not exceeding five pounds, and be ſuſpended from his office, until he pay the ſame; and ſhall within two months after each aſſizes (or term, if in county of Dublin) make up the queries for the ſucceeding aſſizes or term, when he ſhall make affidavit in writing before one of the judges of aſſize (or king's bench, if in county of Dublin) that he has entered a full, true, and exact query in the query-book upon every preſentment for raiſing or paying money, and every fine whatever not accounted for or diſcharged; which affidavit ſhall be delivered to clerk of the peace, to be kept and preſerved; and if he omit to carry forward every query not diſcharged, together with order made by the court, or neglect or omit to enter a full, true, and exact query upon every one preſentment made laſt aſſizes (or term, if in county of Dublin) for raiſing and paying money, and likewiſe to frame a query in the query-book upon every fine impoſed, wherein the county entitled to any ſhare, ſpecifying how much thereof the county is entitled unto, and from time to time to carry forward the ſame, unleſs diſcharged; or ſhall efface, obliterate, tear, alter, deſtroy, or ſuppreſs any record of the county; or refuſe to make ſuch affidavit, he ſhall, if convicted thereof by indictment or preſentment, be fined in any ſum not exceeding one hundred pounds, and diſmiſſed from office of clerk of the crown, any law, grant, or cuſtom to the contrary notwithſtanding, and be incapable of ever after ſerving in ſaid office.

ſuſpended till paid;

in 2 months after aſſizes make up queries on affidavit;

delivered to clerk of peace;

not carrying forward queries with the orders, or entering full and exact on preſentment or fines, wherein the county intitled;

altering or ſuppreſſing records,

fined 100l

diſmiſſed and incapable.

XV. *ſect.* 15. All fines whatſoever, impoſed in conſequence of this act, and not otherwiſe herein diſpoſed of, ſhall, when levied, be paid to treaſurer of the county, in which impoſed, to be accounted for to ſaid county; and the clerk of crown ſhall find and keep among records of the county all affidavits in purſuance of this act, except ſuch as otherwiſe diſpoſed of; and the grand jury are required, at aſſizes or term, if in county of Dublin, next after any recognizance entered in exchequer under the direction of this act, to preſent ſuch ſum, as ſhall appear upon oath to have been neceſſarily expended in entering the ſame, to be raiſed upon the county at large, and paid to the perſon, who ſhall have expended: and if any perſon convicted of having wilfully and knowingly ſworn falſely in any affidavit or examination in conſequence of this act, he ſhall ſuffer ſuch puniſhment, as perſons guilty of wilful and corrupt perjury are by the law ſubject unto.

Fines not otherwiſe diſpoſed, paid to treaſurer, and accounted for;

crown clerk to keep affidavits;

preſentment of expence of entering recognizance;

falſe ſwearing puniſhed as wilful perjury.

## Tythes.

VI. *Stat.* 13 & 14 *Geo.* 3. *cap.* 41. *ſect.* 10. Whereas an act 1 G. 2. for more eaſy recovery of tythes and eccleſiaſtical dues of ſmall value; was continued by ſeveral ſubſequent acts, but is now near expiring; the ſaid recited act, and all and every the clauſes therein contained, ſo far as they relate the recovery of tythes and other eccleſiaſtical dues of ſmall value, made perpetual.

1 G. 2. c. 12. as to tithes and ſmall dues perpetual.

## Vermin.

17 G. 2. c. 10 as amended, continued 10 years, &c.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 42. *ſect.* 1. A clauſe in an act ſeventeenth of George the ſecond, to prevent burning land, and for deſtroying vermin, and which clauſe for the more effectual deſtroying of vermin, with an exception for rooks and herons, was revived and continued by ſubſequent act, and continued and amended by eleventh and twelfth of his preſent majeſty, for continuing temporary ſtatutes, and is now near expiring, ſhall, together with ſaid amendments be continued from the 24th of June 1774, ten years, and to end of then next ſeſſion.

## Watch.

Clauſe 10 G. 1. c. 3. continued by 11 & 12 G. 3. c. 19. ſ. 2. further to 24 June 1776, &c.

I. *Stat.* 14 & 15 *Geo.* 3. *cap.* 41. *ſect.* 5. Whereas tenth of George the firſt, for continuing and amending an act for better regulating pariſh watches, and amending highways, which, ſo far as it relates to pariſh watches, was afterwards continued by eleventh and twelfth of his preſent majeſty; the ſaid clauſe further continued to the 24th of June 1776, and to the end of then next ſeſſion.

## Weights.

25 G. 2. c. 15. amended by 31 G. 2. c. 9. & continued by 7 G. 3. c. 40. ſ. 9. ſo far as relates to weighing clandeſtinely, revived and continued 11 years, &c.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 42. *ſect.* 2. And whereas an act paſſed in this kingdom in the 21ſt year of the reign of his late majeſty king George the ſecond, for buying and ſelling corn and meal and other particulars by weight, it is amongſt other things enacted, that perſons who ſhould for hire, price, or other gratuity, weigh, at any ſcales erected by them, any butter, corn, or grain, hides, tallow, meat, or potatoes, expoſed to ſale in the markets, not being their own goods and property, ſhould, for every draft ſo weighed, forfeit two ſhillings and ſix pence: and ſaid act was revived and amended by thirty-firſt of George the ſecond, and continued with ſaid amendments ſeven years, by ſeventh of his preſent majeſty, for continuing temporary ſtatutes, and which ſaid act is now near expiring; and private ſcales, in which falſe and illegal weights commonly uſed, are very detrimental, ſaid act of the 25th, and alſo the 31ſt of George the ſecond, ſo far as the ſame relates to weighing butter, corn, or grain, hides, tallow, meal, potatoes, or other goods, in a private and clandeſtine manner, revived and continued eleven years, from the 25th of March 1774, and to end of then next ſeſſion.

## Wicklow.

Wicklow grand-jury may preſent 400l. to purchaſe ground or houſes adjoining court-houſe and gaol, confirmed;

not above 100l. a year raiſed.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 18. *ſect.* 16. The grand jury of the county of Wicklow at any aſſizes, after the 24th of June 1774, are impowered to preſent ſuch ſums, as they think neceſſary, for purchaſing a plot of ground, houſe or houſes, adjoining the court-houſe and jail of ſaid county, for enlarging and rendering the ſame more convenient for doing buſineſs of ſaid county; and the judges of aſſize are required to confirm ſuch preſentment; provided the ſum ſo preſented ſhall not exceed in the whole four hundred pounds; and that no more than one hundred pounds of the ſame ſhall be raiſed within any one year, to be applied for purpoſe aforeſaid.

I. *Stat.*

# Wine.

I. *Stat.* 13 & 14 *Geo.* 3. *cap.* 38. *ſect.* 1. No wines ſhall be imported or brought into this kingdom, or into any port, harbour, haven, or creek thereof, in any cask or veſſel, which ſhall not contain thirty-one gallons at leaſt, from any place whatſoever, upon pain of forfeiting ſaid wines, and the value, with the cask or veſſel in which ſuch wines contained.

Wine imported only in 31 gallon casks, or forfeited, with the value and cask.

II. *ſect.* 2. All wines in casks or veſſels under thirty-one gallons, ſhall be ſeized and forfeited, if found on board any ſhip, veſſel, or boat in any port or harbour, or hovering within three leagues of the ſhores, or diſcovered ſo to have been, although bulk ſhall not appear to have been broke, or any of the ſaid wines in casks under the ſize of thirty-one gallons run, or attempted to have been run, out of ſuch ſhip, veſſel, or boat; ſave only and except in caſe of unavoidable neceſſity and diſtreſs, which neceſſity and diſtreſs the maſter, purſer, or perſon having or taking the charge or command of ſuch ſhip or veſſel, ſhall, immediately after arrival into any bay, harbour, river, or creek of or belonging to this kingdom, give notice, and make proof of, before collector or other chief officer reſident at the neareſt port, where ſuch ſhip or veſſel ſhall arrive; and ſuch forfeitures ſhall be ſued for, recovered, levied, and applied, in ſuch manner and form, and by ſuch ways and methods, as preſcribed by an act 14 & 15 C. 2.

Seized if on board in port or 3 leagues, tho' bulk not broke, or attempt to run, except neceſſity;

immediately proved before collector, &c.

Penalties levied as by 14 & 15 C. 2. c. 9.

III. *ſect.* 3. This act ſhall not be conſtrued to extend to wines of Champaigne or Burgundy, Florence, or other Italian wines, or to ſweet wines, commonly called Muſchat, imported as uſual in ſmaller veſſels, or to Madeira wines, provided the ſame imported in veſſels not under ſize of twenty-eight gallons.

Wines excepted in 28 Gallons.

IV. *ſect.* 4. This act ſhall continue and be in force for two years, from the 24th of June 1774.

Continued 2 years from 24 June 1774.

FH
MVSEVM
BRITANNICVM

THE END.